



# THE Bombay Government Gazette.

Vol. 22.]

Published by Authority.

[No. 14

Three Rs. per Quarter.]

THURSDAY, 1st APRIL 1852.

[Eight annas per copy.

## NOTIFICATION.

Bombay Castle, 4th August 1831.

GENERAL DEPARTMENT.

The Right Hon'ble the Governor in Council having sanctioned the publication of a weekly paper to be styled the "BOMBAY GOVERNMENT GAZETTE," notice is hereby given, that after this day all advertisements and other public papers of the Government will be printed in the BOMBAY GOVERNMENT GAZETTE only: and all orders or other public notices appearing in that paper, under the signature of the Secretaries, or other public officers of the Government, are hereby ordered and directed to be conformed to and obeyed accordingly.

Bombay Castle, 18th January 1832.

When official notifications from the Government are inserted in the BOMBAY GOVERNMENT GAZETTE, no communication on the same subject will be made in writing to any department concerned; but all public officers are required to take notice of such official notifications in the same manner as if they had been directly communicated to them by letter from the Secretary's office, and as heads of offices alone will be furnished by Government with the BOMBAY GOVERNMENT GAZETTE, they will be expected to communicate to their subordinate officers all orders which may in any manner concern them.

The Bombay Government Gazettes furnished by Government to public offices are to be lodged with the records, and are not to be removed from the office.

Published by order of the Right Hon'ble the Governor in Council,  
JOHN BAX, Secy. to Govt.

## NOTICE.

The Government Printing and Lithographing Departments having been transferred to the BOMBAY EDUCATION SOCIETY, all Printing and Lithographing required by any Department should be sent to the Office at Bycullah.

Bombay, 5th April 1848.

J. G. LUMSDEN, Secy. to Govt.

## Notice

Is hereby given, that sealed Tenders will be received at this Office on Monday the 12th proximo, precisely at 2 o'clock p. m. (any delivered after that hour will be rejected), from such persons as are desirous of entering into a Contract for supplying Straw to the Commissariat Agency at Panwell, for the term of one year from the date of acceptance of the Tender.

All persons desirous of tendering for the Contract may, on application at this Office, from 11 a. m. till 5 p. m. daily (Sundays excepted), obtain a List of the Article, and such other information relating thereto as they may require.

The Tenders must specify, both in words and figures, the rate per cent. above or below the price in the List above adverted to at which they will undertake to furnish the article therein embraced, of unexceptionable quality, delivered at the Commissariat Agency at Panwell in good condition, free of all further expenses, in such quantity as may from time to time be demanded, and that the same will be liable to examination and rejection by the Warrant Officer in charge of the Commissariat Agency at Panwell, or other persons appointed on the part of Government.

The party or parties whose Tender may be accepted will be required to sign and seal a Contract, stipulating to the above effect, and that he or they will comply immediately with all emergent demands for the article included in the above-mentioned list, and will meet other demands of less urgency within the periods stated in the requisition made upon him or them; in failure whereof, or if the supply be condemned by the Warrant Officer in charge of the Commissariat Agency at Panwell, or other persons authorised as aforesaid, the article

of Straw, or such other as may be required in lieu thereof, shall be purchased by the Commissariat Agency at Panwell without reservation, at his or their risk and cost; and in all such cases an advance of Rupees (30) thirty per cent. upon the amount of expenses incurred, or a fine of Rupees (50) fifty, at the option of the Executive Officer, will be levied, as liquidated damages for each and every such breach of Contract, as often as the same may occur, also the Contract may in all such cases be put an end to on the part of the East India Company.

No Tenders for the Contract in question will be received unless accompanied by a cash deposit of Rupees (11) eleven, which will be forfeited in the event of delay, evasion, or refusal to execute the necessary Deed of Contract. Should any Tender be accepted, the Tenderer must be prepared to give unexceptionable bonded Security, to the extent of Rupees (47) forty-seven, to be held by Government for the due fulfilment of his Contract.

It is to be distinctly understood, that Bills for the quantities of the article included in the above-mentioned list supplied shall be preferred within or before the expiration of one month from the date of the delivery of the article, in default of which the Contractor shall be liable to forfeit the full value or amount of the supplies for which Bills have not been so preferred, unless it shall clearly appear that the delay was unavoidable.

The amount of retrenchments made by the Military Board from the Contractor's Bills will be recovered from the first Bills presented for payment by the Contractor, but in the event of such retrenchments, or any portion thereof, being remitted, the amount, or so much of the amount as

shall be so remitted, will then be refunded to him.

The parties who, after tendering for the Contract, fail to furnish the necessary Security, will be interdicted from tendering on future occasions, unless they can produce a certificate from individuals of unexceptionable character, binding themselves to stand security for the due performance of the Contract.

The annual outlay on the above Contract is estimated at Rupees 238, or thereabouts.

All further particulars will be communicated on the receipt and opening of the Tenders, and no reason will be assigned for the rejection of any Tender.

E. WHICHELO, Major,  
Deputy Commissary General.

Bombay, Deputy Commy. Genl.'s Office,  
24th March 1852.

### Notice

Is hereby given, that sealed Tenders will be received at this and the Commissary General's Office at Bombay, from 11 to 12 o'clock, on Saturday the 10th April 1852, for the exclusive privilege of selling Country Liquor and Intoxicating Drugs, for the Town and Cantonment of Sholapoor, for one year, commencing from the date on which the necessary sanction from the Board may be received at Sholapoor.

2. The Troops composing the Cantonment of Sholapoor are as follows:—

Resident population.....	9,231
1 Regiment of Native Light Cavalry and followers....	917
1 Regiment of Native Infantry .....	795
1 Company of Native Foot Artillery, with No. 2 Light Field Battery attached....	161

3. No deduction will be allowed, except for Troops who may leave the Cantonment.

4. Detachments of 500 men moving or stationed within the Command, are to be supplied with Liquor and Drug Shops by the Contractor.

5. Troops moving from the Station to be supplied with Liquor Shops by the Contractor, which are to remain until replaced by others from the Station they halt at.

6. The amount to be paid by the Contractor shall not be increased or decreased as Troops arrive in or depart from the Cantonment, except in cases where the strength of such Troops exceeds one-fourth the number of Sepoys and Followers stationed at the time of concluding the Contract.

7. It is hereby declared that the Contractor is to take the Contract with all its advantages and drawbacks, as he will not be considered entitled to any remission in consequence of failure of seasons, or any other cause, save those distinctly specified in the Contract. All petitions for remission of monthly payments will consequently not be attended to.

8. The Contractor to remain always with the Bazar Department, and have Agents wherever within the local limits of the said Command they be required by order of the Superintendent of Bazars and Police, and the said Contractor will be held responsible for his or their Agents fulfilling the terms of this Contract.

9. The Contractor shall not sell, or permit to be sold, any Liquor or Drugs whatever, at any lower rates than those contained in his Contract.

10. The Tenders to be in Company's Rupees, and no person will be allowed to tender for the Contract unless he previously deposits in this and the Commissary General's Office the sum of Company's Rupees (1,500) one thousand and five hundred, in cash, which will be forfeited in the event of delay, evasion, or refusal to execute the necessary Deed of Contract, should the offer be accepted, in which case he must be prepared to add thereto such amount as shall complete a month's rent, to be deposited in the Collector's Treasury until the expiration of his Contract.

11. The Tenderer will be required to sign and execute the Deed of Contract, which will have been previously prepared, and to furnish at the same time two competent persons as Securities for the due performance of the whole Contract.

12. Should the Contractor appear to the Officer commanding the Station to have any interest or concern, either directly or indirectly, with any person whom Government may declare unworthy of being dealt with in the management of this Contract, or if he shall at any time fail in any one of the conditions of this Contract, it shall be lawful for the Commanding Officer of the Station, by order, to put an end to this Contract without prejudice to the right of the said Company to damages on account of antecedent breach of Contract, and in such case such money as shall have been advanced by the said Contractor shall not be repaid to him, but may be retained by the said Company.

13. The power is reserved to Government to reject even the best bid, should it see fit to do so.

14. The Contractor to defray the expenses of maintaining a Preventive Police, when and wherever it may be found necessary by the Commanding Officer, for suppressing clandestine sale of spirits to European Troops.

15. Further particulars will be made known to any person or persons on application at this Office, every day, from 10 A. M. to 5 o'clock P. M., Sundays excepted.

J. G. MILLAR, Lieutenant,  
Superintendent of Bazars and Police.

Police Office, Cantonment, Sholapoor,  
16th March 1852.

### Notice

Is hereby given, that sealed Tenders will be received at this Office, on Friday the 2nd proximo, precisely at 2 o'clock P. M. (any delivered after that hour will be rejected,) from such persons as are desirous of entering into a Contract for the supply of Bamboo Rafters, &c. to this Department, for the term of two years from the 1st day of May 1852.

All persons desirous of tendering for the Contract may, on application at this Office from 11 A. M. till 5 P. M. daily (Sundays excepted), obtain a List of the Articles, and such other information relating thereto as they may require.

The Tenders must specify, both in words and figures, the rates per cent. above or below the prices in the list above adverted to, at which they will undertake to furnish the articles therein embraced, of unexceptionable quality, according to Musters,

which may be seen in this Office, and delivered to the Indenting Departments in good condition, free of all further expenses, 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 party or parties whose Tender may be accepted will be required to sign and seal a Contract, stipulating to the above effect, and that he or they will comply immediately with all emergent demands for the Articles included in the above mentioned list, and will meet other demands of less urgency within the periods stated in the requisitions made upon him or them, in failure whereof, or if the supply be condemned by a Committee of Officers, as aforesaid, the articles, Bamboo Rafters, &c. or such others as may be required in lieu thereof, shall be purchased by this Department without reservation, at his or their risk and cost, and in all such cases an advance of Rupees (30) thirty per cent. upon the amount of expenses incurred, or a fine of Rupees (50) fifty, at the option of the Executive Officer, will be levied as liquidated damages for each and every such breach of Contract, as often as the same may occur; also the Contract may in all such cases be put an end to on the part of the East India Company.

No Tenders for the Contract in question will be received unless accompanied by a cash deposit of Rupees (213) two hundred and thirteen, which will be forfeited in the event of delay, evasion, or refusal to execute the necessary Deed of Contract. Should any Tender be accepted, the tenderer must be prepared to give unexceptionable bonded Security, to the extent of Rupees (853) eight hundred and fifty-three, to be held by Government for the due fulfilment of his Contract.

It is to be distinctly understood, that Bills for the quantities of the articles included in the above-mentioned list supplied, shall be preferred within or before the expiration of one month from the date of the delivery of the articles, in default of which the Contractor shall be liable to forfeit the full value or amount of the supplies for which Bills have not been so preferred, unless it shall clearly appear that the delay was unavoidable.

The amount of retrenchments made by the Military Board from the Contractor's Bills will be recovered from the first Bills presented for payment by the Contractor, but in the event of such retrenchments, or any portion thereof, being remitted, the amount, or so much of the amount as shall be so remitted, will then be refunded to him.

The parties who, after tendering for the Contract fail to furnish the necessary Security, will be interdicted from tendering on future occasions, unless they can produce a certificate from individuals of unexceptionable character, binding themselves to stand security for the due performance of the Contract.

The annual outlay on the above Contract is estimated at Rupees (4,265) or thereabouts.

All further particulars will be communicated on the receipt and opening of the Tenders, and no reason will be assigned for the rejection of any Tender.

E. WHICHELO, Major,  
Deputy Commissary General.

Bombay, Depy. Commy. Genl.'s Office,  
17th March 1852.

## Notice

Is hereby given, that sealed Tenders will be received at the Office of the Commissary General at Bombay, and at this Office, at 12 o'clock, noon, on the 1st April next, for the exclusive privilege of selling Ganjah, Opium, and Khuskus, within the limits of the Cantonment of Sattara, for the period of one year, from 1st April 1852 to the 31st March 1853.

2. The Tenders to be in Company's Rupees, and no person will be allowed to tender for the Contract unless he deposits with his offer the sum of Company's Rupees (12) twelve, which will be forfeited in case of delay, evasion, or refusal to execute the necessary Deed of Contract, and two unexceptionable Securities will be required from the highest bidder, to guarantee his fulfilment of the terms of the Contract.

3. The Troops composing the Cantonment of Sattara are as follows:--

One Regiment of Native Infantry.

One Company 4th Battn. Artillery, and Bazar.

But if it so happen that any alteration takes place in the number of Troops before the date fixed for the sale of the Contract, it shall be entered into for the number actually present on that date.

4. The conditions of the Contract shall not be considered binding or in force in any respect until the same are confirmed by the superior Authorities.

5. The person or persons whose Tenders may be accepted will be required to make the monthly payment in advance, as security for the due fulfilment of his or their engagement.

6. The present sum paid for the privilege is Rupees (12-8-0) twelve and annas eight per mensem. Further particulars relative to this Contract will be made known on application at this Office, and at that of the Commissary General of the Army at Bombay, from 10 A. M. to 4 P. M. every day, Sundays excepted.

7. No reasons will be assigned for the rejection of any offer.

H. C. BAINBRIDGE, Ensign,  
Acting Superintendent of Bazars.

Police Office, Sattara,  
16th March 1852.

## BANK OF BOMBAY.

### DISCOUNT.

On Government Bills....	4 per cent.
On Private Bills at or within 3 Months.....	6 ditto.

### INTEREST.

On Fixed Loans on Government Notes.....	4 ditto.
On Cash Credits and Loans on Government Notes.....	5 ditto.
On Loans and deposit of Goods, &c.	6 ditto.

The rate of advance on deposit of 5 per cent. Government Notes is 95 per cent., on 4 per cent. Government Notes, 85 per cent., and on Goods, three-fourths the approved value.

By Order of the Board of Directors,  
J. STUART,  
Secy. & Treasurer.

Bombay, 8th January 1852.

FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,  
the 20th February 1852.

The following Draft of a proposed Act was read in Council for the first time on the 20th February 1852.  
Act No. — of 1852.

*An Act for the Registration of Assurances in the Territories under the Government of the East India Company.*

Whereas the laws now in force in the Territories under the Government of the East India Company, relating to the Registration of Assurances, require amendment, It is hereby enacted as follows :

I. Regulations XXXVI. of 1793, XXVIII. of 1795, XVII. of 1803, Section XVII. Regulation VIII. of 1805, so far as it relates to Regulation XVII. of 1803, Section XXXII Regulation XII. of 1805, and Regulations XX. of 1812 and IV. of 1824, of the Bengal Code; Regulations XVII. of 1802 and XI. of 1831 of the Madras Code; and Regulation IX of 1827 of the Bombay Code; and Acts XXX. of 1838, I. of 1843, XIX. of 1843, IV. of 1845, and XVIII of 1847, are hereby repealed with respect to each of the Presidencies aforesaid, from and after the commencement of Registration under this Act in such Presidencies respectively, but not so as to revive any other Regulation or Act thereby repealed.

II. One public office shall be established in each of the Towns of Calcutta, Madras, Bombay, Agra, and Singapore, for the purposes of this Act, to be called "The Chief Register Office;" and one public office shall be established in each of the Districts to be formed and assigned as hereinafter mentioned, for the purposes of this Act, to be called "The District Register Office."

III. The Government of each Presidency or place within the said Territories shall provide and appoint, from time to time, proper buildings for such offices, in convenient places, in such

IV. It shall be lawful for the Government of each Presidency or place, from time to time, to appoint for the said Chief Register Office, a Registrar, to be called "The Chief Registrar," and an Assistant to such Chief Registrar, to be called "The Assistant Registrar," and it shall also be lawful for the said Government respectively, from time to time, to appoint, for each of the said District Offices, a Registrar, to be called "The District Registrar."

V. It shall be lawful for each of the said Chief Registrars and District Registrars to appoint for their respective offices such Clerks and subordinate Officers as may be allowed by the Government of each Presidency or place, and may be necessary for the execution of the duties to be performed in such offices, and at pleasure to remove them, or any of them.

VI. Every Chief Registrar to be appointed as aforesaid shall be a Barrister at Law, or an Advocate of the Court of Sessions in Scotland, or a Solicitor of one of Her Majesty's Courts in India, or shall have acted as an Assistant or District Registrar for a period of seven years at least.

VII. In case of the illness, death, or temporary absence of a District Registrar, or during any temporary vacancy in the Office of such District Registrar, it shall be lawful for the Civil Judge of the said District to appoint such person as he shall think fit to act as District Registrar

VIII. Every Chief Registrar, Assistant Registrar, and District Registrar, and such of the Clerks and subordinate Officers, to be appointed as aforesaid, as the Government of each Presidency or place shall see fit, shall give Security for the due performance of the duties of his or their respective Office or Offices, in such manner, and to such amount, as the said Governments shall respectively deem fit.

IX. Each of the said Registrars, and District Registrars, shall have and keep a Seal, and such Seal shall be supplied to each of the said Offices by the Government of the Presidency or place in which such Offices are respectively situate, and judicial notice shall be taken in all Courts of the impressions thereof, without any evidence of such Seal having been impressed, or any other evidence in relation thereto.

X. After the first appointment of the Chief Registrars aforesaid, the Chief Registrar of each Presidency or place in the said Territories shall, with all convenient speed, (with the consent of the Government thereof) divide such Presidency or place into Districts for the purposes of this Act, and the said Districts shall be of such extent as may, in his opinion, be convenient for facilitating searches in the separate Registers and Indexes, to be kept as hereinafter mentioned for such District respectively.

XI. The Chief Registrar of each Presidency or place shall, at the expense of the Government of such Presidency or place, provide the Chief Register Office, and each District Register Office therein, with proper books for the Registers, Indexes, and Receipts hereinafter mentioned.

XII. It shall be lawful for the Chief Registrar of each Presidency or place, with the consent of the Government thereof, by notice published in the Government Gazette, to appoint a time not earlier than three calendar months from the time of the publication of such notice, when registration under this Act shall commence; and the time so appointed shall be the time of the commencement of registration under this Act.

XIII. All Assurances executed after the commencement of Registration under this Act, by which any lands in the said Territories may be affected at Law or in Equity (except such Assurances as in Section XIV. mentioned) may be registered under this Act by the deposit of the original document, or, where there are duplicate original documents, of one of the duplicate original documents, in the Register Office of the District in which such lands are situate, and by the entry or entries hereinafter required being made in the proper Index or Indexes to be kept under this Act in such Office, and the several documents to be deposited in such Office shall, from time to time, be made up into books or parcels, and numbered and arranged, with references to the said Indexes, in such manner as the Chief Registrar of each Presidency or place may direct, and the said books or parcels shall be called "The Register of Title Deeds relating to Lands."

XIV. After the commencement of Registration under this Act, all leases, or agreements for leases of any lands of any tenure, for any time not exceeding seven years, to commence from the date of such lease or agreement, or from any time not exceeding twelve calendar months from the date of

during such illness, absence, or temporary vacancy as aforesaid.

VIII. Every Chief Registrar, Assistant Registrar, and District Registrar, and such of the Clerks and subordinate Officers, to be appointed as aforesaid, as the Government of each Presidency or place shall see fit, shall give Security for the due performance of the duties of his or their respective Office or Offices, in such manner, and to such amount, as the said Governments shall respectively deem fit.

IX. Each of the said Registrars, and District Registrars, shall have and keep a Seal, and such Seal shall be supplied to each of the said Offices by the Government of the Presidency or place in which such Offices are respectively situate, and judicial notice shall be taken in all Courts of the impressions thereof, without any evidence of such Seal having been impressed, or any other evidence in relation thereto.

X. After the first appointment of the Chief Registrars aforesaid, the Chief Registrar of each Presidency or place in the said Territories shall, with all convenient speed, (with the consent of the Government thereof) divide such Presidency or place into Districts for the purposes of this Act, and the said Districts shall be of such extent as may, in his opinion, be convenient for facilitating searches in the separate Registers and Indexes, to be kept as hereinafter mentioned for such District respectively.

XI. The Chief Registrar of each Presidency or place shall, at the expense of the Government of such Presidency or place, provide the Chief Register Office, and each District Register Office therein, with proper books for the Registers, Indexes, and Receipts hereinafter mentioned.

XII. It shall be lawful for the Chief Registrar of each Presidency or place, with the consent of the Government thereof, by notice published in the Government Gazette, to appoint a time not earlier than three calendar months from the time of the publication of such notice, when registration under this Act shall commence; and the time so appointed shall be the time of the commencement of registration under this Act.

XIII. All Assurances executed after the commencement of Registration under this Act, by which any lands in the said Territories may be affected at Law or in Equity (except such Assurances as in Section XIV. mentioned) may be registered under this Act by the deposit of the original document, or, where there are duplicate original documents, of one of the duplicate original documents, in the Register Office of the District in which such lands are situate, and by the entry or entries hereinafter required being made in the proper Index or Indexes to be kept under this Act in such Office, and the several documents to be deposited in such Office shall, from time to time, be made up into books or parcels, and numbered and arranged, with references to the said Indexes, in such manner as the Chief Registrar of each Presidency or place may direct, and the said books or parcels shall be called "The Register of Title Deeds relating to Lands."

XIV. After the commencement of Registration under this Act, all leases, or agreements for leases of any lands of any tenure, for any time not exceeding seven years, to commence from the date of such lease or agreement, or from any time not exceeding twelve calendar months from the date of

Each Presidency to be divided into Districts.

The different Register Offices to be provided with proper books.

Commencement of the Registration.

Assurances affecting lands to be registered in "the Register of Title Deeds relating to Lands" of the District where lands are situate.

Leases for seven years and less to be registered in "The Register of Leases" of the District in which lands are situate.

Public Register Offices to be established.

Proper buildings to be provided by Government.

Certain Registrars to be appointed by each Government.

Registrars to appoint their Clerks.

Qualification of Registrars.

Provision in case of temporary vacancy in the Office of District Registrar.

such lease or agreement, in which a Rent shall be reserved or agreed to be reserved, or any Assurance by which any such lease or agreement shall be assigned or otherwise affected, may be registered under this Act by the deposit of the original document, or, when there are duplicate original documents, of one of the original documents, in the Register Office of the District in which such lands are situate, and by the entry or entries hereinafter required being made in the proper Index or Indexes to be kept under this Act in such Offices, and the several documents to be deposited in such Office under this Section shall, from time to time, be made up in parcels or books, and numbered and arranged, with references to the said Indexes, in such manner as the Chief Registrar of each Presidency or place may direct, and the said books or parcels shall be called "The Register of Leases."

XV. All Assurances executed after the commencement of Registration under this Act, by which any money or moveable property may be affected at Law or in Equity, shall be registered under this Act by the deposit of the original document, or, where there are duplicate original documents, of one of the duplicate original documents, in the Register Office of the District in which such Assurance is made, and by the entry or entries hereinafter required being made in the proper Index or Indexes to be kept under this Act in such Office; and the several documents to be deposited in such Office shall, from time to time, be made up into books or parcels, and numbered and arranged, with references to the said Indexes, in such manner as the Chief Registrar of such Presidency or place may direct, and the said books or parcels shall be called "The General Register." Any such Assurance may also be registered in manner aforesaid in the Register Office of any other District, where any other Assurance affecting the same money or moveable property is registered.

XVI. All Assurances executed after the commencement of Registration under this Act, by which any lands in the said Territories, and also money or moveable property may be affected at Law or in Equity, shall be registered as hereinbefore mentioned in "The Register of Title Deeds relating to Lands," unless such lands are so affected by way of lease or agreement for lease only, in which case such Assurances shall be registered as hereinbefore mentioned in "The General Register," and all such Assurances registered in "The General Register of Title Deeds relating to Lands" shall be indexed as hereinafter provided by Section L. of this Act.

XVII. Every Assurance registered as herein-mentioned shall be marked by the District Registrar of the Office in which the same is registered, with the day, and time of the day, when the same was deposited as aforesaid.

XVIII. Where there are duplicate original Assurances, and one duplicate thereof is duly stamped, the other duplicate shall be exempted from stamp duty if registered under this Act; but the Registrar, before he registers any unstamped Assurance, shall satisfy himself that the duplicate thereof is duly stamped, and all memorials and copies to be registered pursuant to this Act, and all copies and extracts of or from any of the documents to be deposited in the Register Office, and all extracts from any of the Indexes to be kept at the Register Office, and all certificates of the result of searches in the said Indexes, and all requisitions for such copies, extracts, and searches respectively, shall be exempt from stamp duty.

2\*

XIX. Every person who deposits an Assurance for Registration as aforesaid shall be entitled to receive from the Registrar of the Office in which the same is deposited a receipt acknowledging such deposit, and the day and time of the day when it was made, the date of the Assurance, the names of the parties thereto, and the entries in the proper Index or Indexes in which the same has been indexed. The Government of each Presidency or place shall furnish each District Registrar therein with receipt books for this purpose, and the receipts therein shall be according to the forms in Schedule (A) to this Act annexed, or to the like effect, as the case may be, and every such receipt, and the counterfoil thereof, shall be numbered in order from the beginning to the end of the book, each receipt and the counterfoil thereof bearing the same number, and the Registrar shall sign both the receipt and the counterfoil thereof, and shall cut off and deliver to the depositor the counterfoil receipt on the right hand of the said receipt book, retaining the other receipt in the book for reference in the Office.

XX. All Assurances executed after the commencement of Registration under this Act, and mentioned and described in Sections XIII. and XIV. shall be registered in "The Register of Title Deeds relating to Lands," or in "The Register of Leases," as the case may be, of the District in which the lands are situate, and in the Registers of no other Districts, and every Assurance not affecting lands, but only money or moveable property, shall be registered in "The General Register" of the District in which such Assurance is made, and also, if the parties think fit, in "The General Register" of any other District where any other Assurance affecting the same money or moveable property is registered.

XXI. Every decree or order of any Court made after the commencement of Registration under this Act, whereby any estate or interest in land in the said Territories is created, declared, transferred, or otherwise affected, and also every decree or order of any Court, made after such commencement, by which any suit, decree, or order as aforesaid is varied or reversed, shall for the purposes of this Act be considered an Assurance affecting such lands, and may be registered as aforesaid in "The Register of Title Deeds relating to Lands," or in "The Register of Leases," as the case may be, of the District in which such lands are situate, and in every such case the document to be deposited shall be a memorial of the decree or order, which memorial shall express the date of the decree or order, and the title of the cause wherein the same purports to be made, and shall also set forth the decree or order, or so much thereof as relates to the estate or interest created, declared, transferred, or affected by the decree or order to be registered, or by the decree or order which is varied or reversed by the decree or order to be registered (as the case may be), and every such memorial as aforesaid shall, previously to the same being deposited in the Register Office, be examined with the decree or order by the Registrar, or by some Clerk authorized to give out an office copy of such decree or order, and shall be certified by the signature of such Registrar or Clerk, and every such Registrar or Clerk is hereby required to examine any such memorial, and to certify the same by his signature, at the request of any person, upon being paid the sum of one rupee and eight annas.

XXII. Every decree or order of any Court, made after the commencement of Registration under this Act, whereby any right or interest in money or moveable property only is created, declar-

Decrees affecting moveable property may be registered.

ed, transferred, or otherwise affected, and also every decree or order of any Court, made after such commencement, by which any such decree or order as aforesaid is varied or reversed, shall, for the purposes of this Act, be considered an Assurance, and may be registered as aforesaid in "The General Register" of the District in which such Court is situate, and, if the party registering such decree shall think fit, in "The General Register" of any other District where any other Assurance affecting the same money or moveable property is registered, and in every such case the document deposited shall be a memorial of the decree or order, which shall be in such form, and shall contain the same particulars as are required by the last Section with respect to memorials of decrees affecting lands, and every such memorial as aforesaid shall be examined by such persons, and in such manner, and upon payment of such charge, as is provided by the last Section.

XXIII. Any person claiming any interest under any equitable mortgage affecting any lands in the said Territories, made by deposit of Title Deeds, after the commencement of Registration under this Act, may register in the Register

Equitable mortgage by deposit of deeds may be registered.

Office of the District in which such lands are situate, a memorandum, containing a description of the lands and the names of persons by and with whom respectively the Title Deeds are deposited, and expressing the principal sum of money secured by such equitable mortgage, or in case the total amount of the principal money secured, or to be ultimately recoverable upon such equitable mortgage, be limited not to exceed a given sum, the total amount of such money, or in case the money secured by such equitable mortgage be without any limit, that the money secured by such equitable mortgage is unlimited, and, in every such case, the memorandum to be so registered shall, for the purposes of this Act, be considered an Assurance affecting such lands, and shall be registered in "The Register of Title Deeds relating to Lands."

XXIV. Where, by reason of the non-payment of purchase-money, a vendor has, after the commencement of Registration under this Act, acquired a lien for such purchase-money on any lands in the said Territories, any person claiming an interest in such lien may

Lien by reason of non-payment of purchase-money may be registered by depositing a memorandum.

register a memorandum, containing such particulars of the conveyance by the vendor as are sufficient to identify the same, and also containing a description of the lands, and expressing the amount of the money for which a lien is claimed, and in every such case the memorandum to be so registered shall, for the purposes of this Act, be considered an Assurance affecting such lands, and shall be registered in "The Register of Title Deeds relating to Lands" of the District in which such lands are situate.

XXV. In the several cases provided for by the four immediately preceding Sections, the Assurance to be registered shall, for the purposes of this Act, be considered to have been made by the person whose right or interest in the lands or property shall be bound or affected by the decree or order, the equitable mortgage, or the lien (as the case may be), and subject to the Regulations to be made under this Act, the same entry or entries shall be made on registering such Assurances as would have been required if the lands or property affected by the decree or order, the equitable mortgage, or the lien (as the case may be) had been so affected by the grant, conveyance, or assignment of such person.

XXVI. Any Will by which lands in the said Territories may be affected at Law or in Equity, where the testator dies after the commencement of Registration

Registration of Wills.

under this Act, may be registered by the deposit of the original Will, or (where there are duplicate original Wills) of one of the duplicate original Wills, in the Register Office of the District in which such lands are situate, and any Will by which only money or moveable property is affected, where the testator dies as aforesaid, may be registered by the deposit of the original Will, or (where there are duplicate original Wills) of one of the duplicate original Wills, in the Register Office of the District in which the testator died; or if any such Will as aforesaid be proved, or Letters of Administration with such Will annexed be granted in any Court in the said Territories having jurisdiction for the Probate of Wills, and such Will be deposited in such Court, the same may be registered under this Act by the deposit in the proper Register Office as aforesaid of a memorial of such Will, mentioning the name of the testator, with his addition (if any) as set forth in the Will, and the Court in which, and the time when, such Will was proved, or such Letters of Administration granted, or by the deposit in such Office of an office or authenticated copy of the Will, duly certified by the Registrar, or other Chief Officer of the Court in which such Will was proved, or Letters of Administration granted; or if such Will be proved, or Letters of Administration with such Will annexed be granted in any Court having jurisdiction for the Probate of Wills in the United Kingdom, or elsewhere out of the said Territories, such Will may be registered under this Act by the deposit in the proper Register Office as aforesaid of a copy of the same; and the copy to be so deposited shall, where there is any Officer authorized to give out an office or authenticated copy from the office or place of deposit of such Will, be an office or authenticated copy, duly certified by such Officer, and all such Wills or Memorials by which lands in the said Territories are affected at Law or in Equity shall be considered as Assurances affecting such lands within the meaning of this Act, and may be registered as hereinbefore mentioned in "The Register of Title Deeds relating to Lands," and all such Wills or Memorials by which only money or moveable property is affected at Law or in Equity, shall also be deemed Assurances, and shall be registered in "The General Register."

XXVII. Where any person, having power to affect by Will lands, money, or moveable property in the said Territories, dies after the commencement of Registration under this Act, intestate,

Letters of Administration or Affidavit of Intestacy may be registered.

Letters of Administration, or certificates granted under Act XX. of 1841, in respect of the estate and effects of such person, may be registered under this Act by the deposit in the Register Office of an office extract of such Letters or Certificates, and any person who claims as heir, representative, or otherwise, any estate, property, or interest in such lands, money, or moveable property, which might have been defeated or affected by the Will of any person dying after the commencement of Registration under this Act, and believes such person to have died intestate, or intestate as to such lands, money, or moveable property, may make and register an Affidavit, hereinafter referred to as an Affidavit of Intestacy, stating that the deponent claims such estate or interest, and stating the time of the death of such deceased person, and that the deponent believes that such deceased person died without a Will, or without any Will other than any Will in such Affidavit mentioned; and all such Letters of Administration, Certificates, Extracts, and Affidavits, relating to, or in any way affecting any lands, shall be deemed Assurances within the meaning of this Act, and shall be deposited and registered as hereinbefore directed in "The Register of Title Deeds relating to Lands" of the District in which such lands are situate, and all such Letters of Administration, Certificates, Extracts, and Affidavits, relating to, or affecting only money, or

moveable property, shall also be deemed Assurances within the meaning of this Act, and shall be registered as hereinbefore directed in "The General Register" of the District where such deceased person as aforesaid died.

**XXVIII.** Every written authority given by any husband to a wife to adopt after his decease any son, such authority being so given alter the commencement of Registration under this Act, may be registered by the deposit of the original authority, or (when there are duplicate original authorities) of one of the duplicate original authorities, and every such written authority shall be deemed an Assurance. Where any estate or interest in land may be affected by virtue of such adoption, the written authority shall be registered as hereinbefore mentioned in "The Register of Title Deeds relating to Lands" of the District in which the lands are situate, and where only interests in money or moveable property may be affected by such adoption, such written authority shall be registered as hereinbefore mentioned in "The General Register" of the District in which such husband died.

**XXIX.** Where the original document, or (if there be duplicates) the several original documents, is or are destroyed or lost, a copy of, or (in cases where no copy is known to exist) an extract from the original document, or of or from any one of the duplicate original documents, may, on registering the Assurance, be deposited in the Register Office, in lieu of an original document, and thereupon the Registration of the Assurance shall (so far as respects depositing a document) be as valid and effectual as if an original document had been deposited in the Register Office: Provided always, that in every such case an Affidavit of the destruction or loss of the original document, or (if there have been duplicate originals) of the destruction or loss of the several original documents, and (where an extract only is deposited) of the non-existence, to the best of the deponent's belief, of any copy of the original document, or of any one of the original documents, (as the case may be,) shall be brought to the Register Office with the said copy or extract, to be deposited as aforesaid, and shall be deposited together with the same in the Register Office. Provided always, that in the case of a copy or extract, the Registration of an Assurance shall be effectual only so far as such copy or extract extends, and so far as the same substantially and in material respects agrees with the original document.

**XXX.** Where any order or rule is made by any Judge or Court, as hereinafter mentioned, respecting the delivery or sending of any document, or copy, or extract, at or to a Register Office, for the purpose of being registered, and the same is not delivered or sent within such time as by such order or rule may be limited in that behalf, such order or rule may be registered in the Register Office, and the registration thereof shall be of the like force and effect as the registration of such document, copy, or extract.

**XXXI.** Every petition for adjudication of Insolvency in the said Territories, filed of record after the commencement of Registration under this Act, may be registered under this Act by the deposit in the Register Office of a memorandum, mentioning the Court in which, and the time when, such petition was filed, and the name and place of residence or business of the person against whom such petition is presented,

as the same are set forth in the petition, and by the entry hereinafter required being made in the proper Index to be kept in the Register Office; and every appointment or choice of Assignees of any Insolvent in the said Territories made after such commencement may be registered under this Act by the deposit in the Register Office of the District in which such Assignees are appointed of an Office copy of the Certificate of such appointment or choice, and by the entry hereinafter required being made in the said Index; and all such memoranda and copies as aforesaid shall be deemed Assurances within the meaning of this Act. Where any lands may be affected at Law or in Equity by such adjudication or appointment as aforesaid, the same shall be registered as hereinbefore mentioned in "The Register of Title Deeds relating to Lands" of the District in which such lands are situate; and where only money or moveable property may be affected at Law or in Equity by such adjudication or appointment, the same shall be registered in "The General Register" of the District in which such petition is to be adjudicated.

**XXXII.** Where by virtue of any vesting or other order made after the commencement of Registration under this Act by any Court, Commissioner, or Judge, in the said Territories, having jurisdiction in that behalf,—or of any nomination, appointment, or choice of an Official or other Assignee made after such commencement by such Court, Commissioner, or Judge, or by the Creditors of any Insolvent Debtor,—the Estate and Effects of any Insolvent Debtor become vested in any such Assignee, every such order, nomination, appointment, or choice, may be registered under this Act by the deposit in the Register Office of an office or authenticated copy or certificate of such order, nomination, appointment, or choice, and by the entry hereinafter required being made in the proper Index in the Register Office; and all such copies and certificates shall be deemed Assurances within the meaning of this Act; and where any lands may be affected at Law or in Equity by such order, nomination, appointment, or choice, the same shall be registered in "The Register of Title Deeds relating to Lands" of the District where such lands are situate; and where only money or moveable property may be affected at Law or in Equity by such order, nomination, appointment, or choice, the same shall be registered in "The General Register" of the District in which such order, nomination, appointment, or choice is made.

**XXXIII.** All requisitions for Inhibitions against alienation hereinafter mentioned, and the respective Affidavits delivered therewith, and all Caveats hereinafter mentioned, affecting any lands at Law or in Equity, shall be considered Assurances within the meaning of this Act, and may be registered by the deposit thereof in "the Register of Title Deeds relating to Lands" of the District in which such lands are situate; and all requisitions for Inhibitions against alienation, and the respective Affidavits delivered therewith, and all Caveats affecting only money or moveable property, shall also be deemed Assurances, and may be registered by the deposit thereof in "the General Register" of the District in which the Assurance sought to be affected by any use, trust, or confidence mentioned in such requisition, or by any such Caveat, is or is about to be registered; and all such Affidavits delivered with such requisitions for Inhibitions shall be numbered in the respective Registers with the same number as the requisitions.

**XXXIV.** None of the provisions of this Act shall extend to such Assurances relating to shares in any public or private works or undertaking of any Corporation, Company, or So-

Shares in Companies not to be affected.

Petitions for adjudication of Insolvency and appointment of Assignees may be registered.

ciety, as by virtue of any local or other Act are required to be registered, or otherwise entered or minuted in the books of the Corporation, Company, or Society.

Bills of Exchange and Promissory Notes not to be affected by this Act.

XXXV. None of the provisions of this Act shall be construed to extend to Bills of Exchange or Promissory Notes.

XXXVI. There shall be provided and kept in each District Register Office in the said Territories, four Indexes of "the Register of Title Deeds relating to Lands," to be respectively intitled, the Index of Titles, the Index of the names of Grantors, the

Index of Testators and Intestates, and the Index to Insolvents; and the said four Indexes shall respectively be made and kept as next hereinafter mentioned.

XXXVII. All Assurances to be registered under this Act, by which any lands may be affected as aforesaid, shall be indexed in "the Index of Titles" to "the Register of Title Deeds relating to Lands," under heads to be respectively designated by numbers or names of Villages or Mehals, or otherwise, as the Registrar may think fit; and every entry in the said Index shall express the year and the day of the month when the same is made, and the book or parcel in which the document deposited in the Register Office is made up, and the number of such document in such book or parcel, and such other particulars as under any Regulations to be made as hereinafter mentioned may be directed.

XXXVIII. "The Index of the names of Grantors" to "the Register of Title Deeds relating to Lands" shall be an alphabetical index of the names of such Grantors, and, save where otherwise provided by the Regulations to be made under this Act, the

The "Index of the Names of Grantors" to "The Register of Title Deeds relating to Lands."

name of the Grantor in the Assurance, with his addition (if any) as set forth therein, shall be entered in the Index of the names of Grantors for the district, and an entry shall be made opposite to the name so entered, which entry shall contain a reference to the head under which such Assurance is indexed in the Index of Titles; and where the lands affected by the Assurance are situate in more than one district, like entries shall be made in the Index of the names of Grantors for each such district.

XXXIX. "The Index of Testators and Intestates" to "the Register of Title Deeds relating to Lands" shall be an alphabetical index of such testators and intestates, and where any will, letters of administration, certificate, or affidavit of intestacy, is or are registered under this Act, an entry of the name of the testator or intestate, with his addition, if any, as set forth in the will, letters of administration, certificate, or affidavit, shall be made in such index, and opposite to the name of every testator or intestate, whose name is so entered, an entry shall be made, expressing the year and day of the month when such entry is made, and the nature of the document deposited, and the book or parcel in which the will, memorial, copy, office extract of letters of administration, or certificate, or affidavit, is made up, and the number thereof in such book or parcel, and such other particulars as under any Regulations to be made as hereinafter mentioned may be directed.

The "Index of Testators and Intestates" to "The Register of Title Deeds relating to Lands."

XL. "The Index of Insolvents" to "the Register of Title Deeds relating to Lands" shall be an alphabetical index of such Insolvents, and where any petition for adjudication of Insolvency, appointment, or choice of Assignees, or any vesting or other order or no-

"The Index of Insolvents" to "The Register of Title Deeds relating to Lands."

mination in any Insolvency, is registered under this Act, an entry of the name of the person against whom the petition is presented, or of the Insolvent, with the addition (if any) of such person or Insolvent as set forth in the memorandum, copy, or certificate deposited as aforesaid, shall be made in the said Index to Insolvents; and opposite to the name of every Insolvent whose name is so entered an entry shall be made, expressing the year and day of the month when the same entry is made, and the book or parcel in which the said memorandum, copy, or certificate has been made up, and the number of the same in such book or parcel, and such other particulars as under any Regulation to be made as hereinafter mentioned may be directed.

XLI. The Government of each Presidency or place may cause to be provided for the several districts therein, such Maps as they may approve and deem sufficient for the purposes of Registration under this Act, and for providing such Maps may cause to be made or adopted copies, with

such additions, omissions, or variations, as they may think fit, of such of the Maps made for the Revenue Survey, or by the Trigonometrical Survey, or of such other existing Maps as they may think sufficient, or may cause, in any case, new Maps to be made for the whole or part of any District; and the Maps to be provided or adopted as aforesaid shall be deposited and kept in the respective District Register Offices, and shall be used for the purposes of this Act; and the Chief Registrar of each Presidency or place respectively, with the consent of the Government thereof, shall cause to be made for each District an Index or Indexes, in such form as he may approve, of the several lands in the District, having reference to the Map or Maps thereof to be used for the purposes of this Act, and shall make provisions and Regulations for insertion, from time to time, in the Indexes for the several Districts, of the names, or short descriptions of the villages or other estates of whatever tenure therein respectively as cannot be conveniently indicated by reference to such Maps; and the Index or Indexes so to be made for each District shall be deposited and kept in the District Register Office, and shall be "the Land Index" of such District for the purposes of this Act; and from and after the period when such Maps are provided, and such Index or Indexes having references thereto are made as aforesaid in any District, it shall and may be lawful for the Chief Registrar of each Presidency or place (with the consent of the Government thereof), in his discretion, to make regulations for the discontinuance in such District of "the Index of Titles" to "the Register of Title Deeds relating to Lands."

XLII. In Districts where a Land Index is made, and an Index of Titles is also continued, if an entry of an Assurance is made in the Index of Titles, an entry shall be made in "the Land Index" for the same District, opposite to the name or number of such land, which entry in the Land Index shall contain a reference to the entry in the Index of Titles, and the said Land Index shall contain such other particulars as under any Regulations to be made as hereinafter mentioned may be directed.

XLIII. There shall be provided and kept in each District Register Office in the said Territories two Indexes of "the Register of Leases," to be respectively intitled "the Index of Titles" and "the Index of Lessors," and the said two Indexes shall respectively be made and kept as next hereinafter mentioned.

XLIV. All Leases, or agreements for Leases, or other Assurances by which such "Index of Titles" Leases or Agreements shall be as-

Two Indexes to be kept of "The Register of Leases."

Entries made in "The Land Index" to contain references to "The Index of Titles," if the latter Index is continued.



to "The Register of Leases," signed or affected, shall be indexed in "the Index of Titles" to "the Register of Leases," under heads, to be respectively designated by numbers, or names of villages, or estates, or otherwise as the District Registrar may think fit, or as may be directed by the Regulations hereinafter mentioned; and every entry in such Index shall express the year and day of the month when the same is made, and the book or parcel in which the document deposited in the Register Office is made up, and the number of such document in such book or parcel, and such other particulars as under any Regulations to be made as hereinafter mentioned may be directed.

**XLV.** "The Index of the Names of Lessors" to "the Register of Leases" shall be an Alphabetical Index of the names of such Lessors, and the name of the Lessor in the Lease or Assignment, with his addition, if any, as set forth therein, shall be entered in such Index, and an entry shall be made, opposite to the name to be so entered, which entry shall contain a reference to the head under which such Lease is indexed in the Index of Titles, and such other particulars as under any Regulation to be made as hereinafter mentioned may be directed; and when the lands affected by such Lease are situate in more than one District, like entries shall be made in the Index of each such District.

**XLVI.** There shall be provided and kept in each District Register Office in the said Territories, three Indexes of "the General Register," to be respectively intitled "the Index of the Names of Grantors," "the Index to Testators and Intestates," and "the Index to Insolvents," and the said three Indexes shall respectively be made and kept as next hereinafter mentioned.

**XLVII.** The "Index of the names of Grantors" to "The General Register" shall be an Alphabetical Index of such Grantors, and, save where otherwise provided by the Regulations to be made under this Act, shall be made and kept in the manner and form hereinbefore provided for the making and keeping of the "Index of the names of Grantors," to "The Register of Title Deeds relating to Lands," or as near thereto as circumstances will permit, and shall contain such other particulars as under any Regulation to be made as hereinafter mentioned shall be directed.

**XLVIII.** "The Index of Testators and Intestates" to "The General Register" shall be an Alphabetical Index of such Testators and Intestates, and, save where otherwise provided by the Regulations to be made under this Act, shall be made and kept in the manner and form hereinbefore provided for the making and keeping of "The Index of Testators and Intestates" to "The Register of Title Deeds relating to Lands," or as near thereto as circumstances will admit, and shall contain such other particulars as under any Regulation to be made as hereinafter mentioned shall be directed.

**XLIX.** "The Index of Insolvents" to "The General Register" shall be an Alphabetical Index of such Insolvents, and, save where otherwise provided by the Regulations to be made under this Act, shall be made and kept in the manner and form hereinbefore provided for the making and keeping of "The Index of Insolvents" to "The Register of Title Deeds relating to Lands," or as near thereto as circumstances will admit, and shall contain such other particulars as under any Regulation to be made as hereinafter mentioned shall be directed.

**L.** All Assurances by which any lands, and also money or moveable property, are affected, and registered in "The Register of Title Deeds relating to Lands," according to Section XVI. of this Act, shall be indexed in the proper Indexes to "The General Register," as well as in the proper Indexes of "The Register of Title Deeds relating to Lands."

**LI.** On the registration of any Assurance made by an heir at law, or other person, by way of confirmation of a Will which has been registered under this Act, or of any appointment of new Trustees under any such Will, or of any release or Assurance of any lands or charges on lands comprised in or affected by any such Will, which, in the opinion of the Registrar, may be conveniently indexed with reference to such Will, the Registrar may cause to be entered in "The Index to Testators and Intestates," opposite to, or in connexion with the entry in relation to such Will, a reference to the head or entry under which such Assurance, appointment, or release is entered in the Index of Titles.

**LII.** Each District Registrar shall cause the entries required to be made on registering or indexing any Assurance under this Act to be made immediately after the Assurance is received at the Register Office, and no Assurance shall be deemed registered under this Act unless and until all the entries required under this Act in respect of such Assurance have been duly made; Provided that when, upon the registration under this Act of an Assurance affecting lands, all the entries which would be required for such registration have been duly made with respect to part only of the lands affected thereby, such Assurance shall, as to the lands with respect to which such entries have been so made, but not as to the residue of the lands affected by such Assurance, be deemed duly registered under this Act.

**LIII.** Any person having an interest in any lands, money, or moveable property, in the said Territories, under any Assurance by this Act authorized to be registered, which has not been registered, may require any person in possession of the original document, or (where the original document or the several original documents, is or are lost) a copy of, or (in cases where no copy is known to exist) an extract from the original document, or of or from any of the original documents, to deliver or send the same at or to the proper Register Office, for the purpose of its being registered; and in case the person in whose possession the same shall be refuse so to do, it shall be lawful for any Judge of any Court of Civil Judicature, upon a summary application, to make such order respecting the delivery or sending of such document, or copy, or extract as aforesaid, at or to the proper Register Office, for the purpose aforesaid, as to such Judge, in the exercise of his discretion, shall, under the circumstances of the case, appear proper; and on non-compliance with any such order or rule, the same may be registered as in Section XXX. hereinbefore mentioned. Provided always, that this enactment shall not authorize any person to require or enforce the registration of any Assurance, or copy, or extract of an Assurance affecting lands at Law or in Equity, in case any agreement or provision has been made for the non-registration of such Assurance by

him, or by any person from or through whom he derives an interest under such Assurance.

LIV. It shall be lawful for the Judge, to whom any such application is made, to make such order respecting the costs of such application, and the costs incidental thereto, and the costs of registration, as to such Judge shall seem proper; and it shall also be lawful for such Judge, if he think fit, to order that an office copy of the original document, copy, or extract, to be delivered or sent as aforesaid, shall be furnished to the party by whom the same shall be so delivered or sent, at the expense of the party by whom the application is made.

LIV. Provided always, that where any Judge of Her Majesty's Courts, or of the Courts of Sudder Adawlut, makes or refuses to make any such order as aforesaid, application may be made to the whole Court of which he is a Judge, to rescind or vary such order, or to make such order, as the case may require, and such Court shall hear and determine the matter of such application; and where any Judge of a Small Cause Court makes or refuses to make any such order, application may be made to Her Majesty's Court having jurisdiction in the Town where such Small Cause Court is situate; and where any other Judge makes or refuses to make any such order, application may be made to the Sudder Adawlut of the Presidency in which such Judge has jurisdiction, to rescind or vary such order, or to make such order, as the case may require, and the said Courts of Her Majesty and Sudder Adawlut, as the case may be, shall respectively hear and determine the matter of such application.

LVI. Every Assurance by this Act authorized to be registered, other than a Will, decree, or order, shall (so far as regards any lands in the said Territories to be affected thereby) be void as against any person claiming for valuable consideration under any subsequent Assurance duly registered, unless the prior Assurance have been registered in the manner directed by this Act before the registration of the subsequent Assurance.

LVII. Where any equitable mortgage affecting lands in the said Territories is made by the deposit of Title Deeds after such commencement of registration, and where, by reason of the non-payment of purchase-money, a vendor has, at any time after such commencement of registration, acquired a lien for such purchase-money on any lands in the said Territories, such equitable mortgage and lien respectively shall be void as against any person claiming for valuable consideration under any subsequent Assurance duly registered, unless, in the respective case of such equitable mortgage and lien, such Memorandum, as is hereinbefore in such respective cases authorized to be registered, be registered in the manner required by this Act before the registration of the subsequent Assurance.

LVIII. Where any Will, Letters of Administration, Certificate, or Affidavit of Intestacy, authorized to be registered under this Act, has or have been duly registered, every other Will authorized to be registered under this Act, made by the person by whom such first-mentioned Will was made, or in respect of whose Estate and Effects such Letters of Administration or Certificate were granted, or with respect to whose Intestacy or alleged Intestacy such Affidavit was made, shall, so far as regards any

lands in the said Territories, be void as against any person claiming for valuable consideration under any Assurance duly registered under this Act, made after the death of the Testator by any person claiming immediately or derivatively under such first-mentioned Will, or such Letters of Administration or Certificate, or by any other person by whom such Assurance might have been made if such other Will as aforesaid had not been executed, unless such other Will be registered before the registration of such Assurance, or such first mentioned Will, Letters of Administration, Certificate, or Affidavit.

Registration of Will within two years after Testator's death effectual. Provided always, that every Will registered within two years after the death of the testator shall be as valid and effectual as if the same had been registered immediately after the death of the testator: Provided also, that if, by reason of the concealment, suppression, or contesting of any Will, or other inevitable difficulty, any person interested thereunder be disabled from registering the same within such two years, and such person, or any person on his behalf, within such last-mentioned period, make and register, in manner herein directed, an Affidavit, stating the name and addition of the testator, the date of his death, and the impediment to the registration of such Will which may be existing at the time of making such Affidavit, then and in such case the registration of such Will in manner directed by this Act, within six calendar months next after all impediments to the registration thereof are removed, shall, unless before such registration, the registration of such Affidavit be cancelled under the provision hereinafter contained, be as valid and effectual as if the same had been registered immediately after the death of the testator; and such Affidavit as aforesaid shall be deposited in the Register Office, and shall be made up and numbered in like manner as hereinbefore directed concerning Registered Wills, and the like entries shall be made in relation to such Affidavit in the "Index to Testators and Intestates" as in the case of a Registered Will, save that in describing the document deposited, the same shall be called an Affidavit of a Will: Provided always, that where an Affidavit of a Will is registered under the provision lastly hereinbefore contained, it shall be lawful for the Court of Civil Judicature of the district in the Register Office of which the same is registered, upon the application, by motion or petition, in a summary way, without bill or plaint filed, of any person claiming as Heir, Executor, Administrator, Representative, or otherwise, any estate or interest in lands, money, or moveable property in the said Territories, which might have been defeated or affected by the Will of the person in respect of whose Will or alleged Will such Affidavit is made, in case it appear to the said Court that such Affidavit was made and registered without due cause, or that the cause for making and registering the same has ceased, or otherwise that the registration of such Affidavit should be cancelled, to order such cancellation accordingly; and it shall be lawful for such Court, on any such application, to award such costs, and generally to make such order in relation to the premises, as to such Court may seem fit, and the Registrar shall, where such Court orders such registration to be cancelled, cancel the entries in the Index in relation to such Affidavit.

If concealment of Will contested, party interested may register an affidavit as to Will.

Court may order Registration of Affidavit of a Will to be cancelled.

LIX. Where the first vesting, or other order, or nomination, appointment, or choice of any Assignees in any Insolvency, under which the estate and effects of the Insolvent becomes vested in any Assignees or Trustee under the Insolvency, is made after the commencement of registration under this Act, such Insol-

Purchasers protected against Insolvency, unless appointment of Assignees, &c. be registered.

of any Assignees in any Insolvency, under which the estate and effects of the Insolvent becomes vested in any Assignees or Trustee under the Insolvency, is made after the commencement of registration under this Act, such Insol-

Un-registered Will to be void against purchaser from persons entitled under a registered Will, or, in default of a Will, where Letters of Administration or Affidavit of Intestacy registered.

such Affidavit was made, shall, so far as regards any

veny, or any vesting or other order, nomination, appointment, or choice of Assignees thereunder, shall not, as against any person claiming for valuable consideration under any Assurance duly registered under this Act, made by the Insolvent, or any other person by whom the same might have been made if such Insolvency had not happened, invalidate or affect such Assurance, so far as regards any lands in the said Territories, unless some such vesting, or other order, or nomination, appointment, or choice of Assignees, as is authorized to be registered under this Act, be duly registered before the registration of such Assurance as aforesaid, or within one calendar month after the date of the order, nomination, appointment, or choice under which the estate and effects of the Insolvent have become vested in any Assignee or Trustee under the Insolvency.

**LX.** No Assurance by a Insolvent affecting lands in the said Territories executed after the commencement of registration as aforesaid, and duly registered under this Act before the advertisement in the Government Gazette of an adjudication in Insolvency where the petition is not registered, such Assurance for valuable consideration, and without fraud, be invalidated, so far as regards any lands in the said Territories, by reason of such adjudication, or of the Act of Insolvency on which such adjudication is founded, or any other act of insolvency, unless the petition for adjudication have been filed of record, or presented after the commencement of Registration under this Act, or have been duly registered under this Act before the registration of such Assurance.

**LXI.** The priority given by the provisions hereinbefore contained to any person claiming for valuable consideration under a registered Assurance shall not, as respects any person so claiming without fraud, be taken away by any Court, in consequence of such person having been affected with notice; and where, under the provisions hereinbefore contained, priority is given to any person claiming for valuable consideration under a registered Assurance an equitable estate or interest, such priority shall, in favor of any person so claiming without fraud, be enforced in Equity, although the person so claiming under such registered Assurance has been affected with notice.

**LXII.** Where any estate or interest in lands in the said Territories is vested in any person under any Assurance registered under this Act, no purchaser for valuable consideration, without fraud, claiming under any Assurance made by the person in whom such estate or interest is so vested, shall be affected or bound by reason of notice of any use, trust, or confidence, declared or created after the commencement of registration under this Act, and affecting such estate or interest, unless such use, trust, or confidence, be manifested or proved by such first-mentioned Assurance, or some other Assurance duly registered under this Act, before the registration of the Assurance under which such purchaser so claims; and where, in any Assurance registered under this Act, any use, trust, or confidence affecting any estate or interest in lands in the said Territories vested in any person under any Assurance registered under this Act, is declared or created by reference to, and depends for its validity, or for the terms thereof upon some other Assurance executed after the commencement of registration under this Act, no purchaser for valuable consideration, without fraud, claiming under any Assurance made by the person in whom such estate or interest is so vested, shall be affected by such

use, trust, or confidence, unless the Assurance, by reference to which such use, trust, or confidence is so declared or created, be registered under this Act before the registration of the Assurance under which such purchaser so claims.

**LXIII.** Where any two or more Assurances to be registered under this Act are registered at the same time, such Assurances shall have priority according to the order of time in which the same shall have been executed.

**LXIV.** Every person who shall claim without valuable consideration, under any person who shall have claimed for valuable consideration, shall be entitled to the same preference, protection, and advantage under the provisions of this Act as the persons who shall have so claimed for valuable consideration.

**LXV.** In any case in which priority or protection might but for this Act have been given or allowed in Equity to any estate or interest in lands, by reason or on the ground of such estate or interest being protected by or tacked to any legal or other estate or interest in such lands, no such priority or protection shall, after the commencement of Registration under this Act, be so given or allowed to any estate or interest in lands in the said Territories, except as against any estate or interest which shall have existed prior to such commencement; and full effect shall be given in every Court of Equity to this present provision, although the party claiming such priority or protection as aforesaid shall claim as a purchaser for valuable consideration, and without notice.

**LXVI.** No Assurance affecting lands which would (so far as this present enactment does not operate) have the effect at any time of merging or extinguishing any term of years or other particular estate, or of releasing or extinguishing any charge, or any part thereof, or any interest therein, shall have such effect as against any person claiming for valuable consideration under any subsequent Assurance duly registered, whereby such term of years or other particular estate, or such charge or interest is assigned, or otherwise affected, unless before the registration of such subsequent Assurance an entry of the Assurance which would have the effect of merging, releasing, or extinguishing such term of years or other particular estate, or charge, or interest, or part respectively, be made in the Index of Titles in which an Assurance of such term of years or other particular estate, or charge, or interest, if the same were subsisting, ought, under the provisions of this Act, to be indexed or entered.

**LXVII.** Nothing in this Act contained shall be construed so as to render the registration of such leases or agreements for leases as in Section XIV. mentioned, or any Assurance by which any such lease or agreement shall be assigned or otherwise affected, compulsory, or necessary; or to give any such leases, agreements, or assignments as aforesaid, when registered, any priority over other leases or Assurances.

**LXVIII.** All Assurances affecting only money or moveable property (except Wills, Decrees, and Orders,) shall be utterly void and of none effect unless registered within six months after the execution thereof by the party who conveys, assures, transfers, assigns, or appoints thereby, or unless a

caveat respecting such Assurance be registered within six months after such execution, and such caveat continue in force, or unless a caveat respecting such Assurance be registered as aforesaid, and after such caveat ceases to be in force, such Assurance be registered within six months after such execution, the time during which such caveat is registered and in force being deducted in the calculation of such six months. Provided always, that every such Assurance as aforesaid, affecting money or moveable property registered within six months after the execution thereof as aforesaid, (the time during which such caveat was registered and in force being deducted in the calculation of such six months,) shall be as valid and effectual as if the same had been registered immediately after such execution. All Wills, affecting only money or moveable property either at Law or in Equity, shall be wholly void and of none effect, unless registered within two years after the death of the Testator, but if registered within that time, shall be as valid and effectual as if the same had been registered immediately after the death of the Testator, and if by reason of the concealment, suppression, or contesting of any Will, or other inevitable difficulty, any person interested thereunder be disabled from registering the same within such two years, then such Affidavit of a Will as hereinbefore in Section LVIII. mentioned, or to the like effect, so far as circumstances will admit, shall be made and registered by such person, and the said Courts shall have the like power and authority to order the registration or cancellation of such Affidavits of Wills as are hereinbefore given and conferred by the said Section LVIII. with respect to the Affidavits of Wills affecting lands.

XLIX. Where any person is interested under any use, trust, or confidence, declared or created after the commencement of registration under this Act, and affecting any estate or interest in lands, money, or moveable property in the said Territories, which is vested in any person under any Assurance registered under this Act, and such use, trust, or confidence is not manifested or proved by any Assurance registered under this Act, or is, in any Assurance registered under this Act, declared and created by reference to and depends for its validity, or for the terms thereof, upon some other Assurance not registered under this Act, any person so interested as aforesaid may, by a requisition in writing under his hand, delivered at the Register Office in which such Assurance is registered as aforesaid, together with such Affidavit as hereinafter mentioned, require an Inhibition in respect of any such lands, money, or moveable property, to be mentioned in such requisition, to be entered against any person mentioned in such requisition in whom such estate or interest is vested as aforesaid, inhibiting him from alienating, transferring, charging, or affecting such lands, money, or moveable property by virtue of such estate or interest, without notice being first given by the Registrar to the person signing such requisition, or some person on his behalf, at some office or place mentioned in such requisition, and situate within ten miles of the Register Office, and such requisition shall specify the date of and parties to the Assurance under which such estate or interest is vested, and the entries with respect to the same in the Index or Indexes of the Register in which the same is registered, and the Affidavit to be delivered with such requisition shall be made by the person signing such requisition, and such person shall therein swear that he believes that he is interested under such use, trust, or confidence as aforesaid.

Persons interested under uses or trusts affecting estates or property vested under a registered Assurance may enter an Inhibition against alienation.

LXX. Where an Inhibition is so required to be entered, an entry shall be made in the Index or Indexes of the Register of Title Deeds relating to Lands, or "the General Register," as the case may be, under the same heads, and expressing the like particulars as are by this Act required in the case of Assurances to be registered in such registers respectively.

LXXI. Any person against whom an Inhibition is entered as aforesaid, or any person interested in the lands, money, or moveable property to which the same relates, may, by writing, signed by such person, and lodged at the Register Office, require the Registrar to cancel the entries in the Indexes of such Inhibition, and the Registrar shall, within two days after the receipt of such writing, give notice thereof to the person on whose requisition the Inhibition was entered, and shall state in such notice, that on the expiration of fourteen days after the service thereof, the Inhibition will be cancelled, and the service of such notice at the office or place mentioned in the requisition for the Inhibition shall be deemed good service thereof, and at the expiration of the said period of fourteen days after such service, the Registrar, unless sooner restrained by the order of a competent Court, as hereinafter mentioned, shall cancel the entries in the Indexes of the said Inhibition.

LXXII. It shall be lawful for Her Majesty's Courts of Judicature of the said Towns of Calcutta, Madras, Bombay, or Singapore, in which any such Inhibition is registered, or for the Court of Civil Judicature of any District in which any such Inhibition is registered, upon the application of any party interested, by motion or petition in a summary way, without bill or plaint filed, to restrain the Registrar from cancelling the entry of any Inhibition entered under this Act; provided always, that the said Courts respectively shall have full power, upon the application of any party, to discharge or vary such order, and to award such costs on such application as such Courts respectively may see fit, and generally to make such order in relation to the premises as to the said Courts respectively may seem just.

LXXIII. "And whereas it may often happen that some time will elapse pending the negotiation for a sale or other contract, and that often, by reason of the illness or absence of parties, or from other causes, the written transfer of property will be delayed for want of due execution by all the requisite parties; and whereas when Assurances affecting lands are executed for a temporary purpose merely, it may often be inconvenient, and occasion unnecessary expense to register an Assurance affecting such lands, containing all the particulars of the transaction," It is further enacted, that any person may, after the commencement of registration under this Act, by a requisition in writing under his hand, delivered at the proper Register Office, require a Caveat against his own acts to be entered in respect of any lands or money or moveable property in the said Territories, to be mentioned in such requisition in favour of any person described therein, for the protection of any Assurance affecting such lands, money, or moveable property which shall have been made and executed, or shall be in progress, or shall have been in contemplation at the time of entering such Caveat.

LXXIV. Where a Caveat is so required to be entered, an entry shall be made in all the Indexes under the same head, and expressing the like particulars, as are under this Act required in the case of an Assurance affecting the lands, money, or moveable property mentioned in the requisition for such Caveat, and made by the person requiring such Caveat to be entered.

Mode of entering Caveats.

LXXV. Where a Caveat is duly entered under this Act as to any lands in the said Territories, every person claiming for valuable consideration under any Assurance affecting the same lands to be made by the person by whom the entry of the Caveat has been required, or any person claiming under him, to or with the concurrence of the person in whose favour the Caveat was so entered, or his Heirs, Executors, Administrators, Representatives, or Assigns, and registered in the manner directed by this Act, within six calendar months after the Caveat has been so entered as to such lands, shall be entitled to the same preference, protection, and advantage under the provisions of this Act as if such Assurance had been executed and so registered as aforesaid at the time of entering the Caveat: Provided

Extent of protection to be afforded by Caveats.

Not to protect against Insolvency.

always, that no such Caveat shall have any force or effect as against the operation of the Insolvency of the person requiring the same to be entered, or any Act under such Insolvency.

LXXVI. Subject to such Regulations as may be from time to time made under this Act, the District Registrar shall, upon the application of any person interested under any Assurance, and registering the same under this Act, issue to such person a Certificate of such Registration, and shall thereupon enter in the Index of Titles in which such Assurance is entered a memorandum of such Certificate; and the Registrar shall, upon such Certificate being delivered at the Register Office for that purpose, cancel the same, and enter in the Index of Titles a note of such cancellation; and no Assurance by the person to whom such Certificate is issued affecting the lands to which such Certificate relates, shall be registered until such Certificate has been cancelled; and such Certificate may be deposited by way of equitable mortgage by the person to whom the same has been issued, and any deposit thereof so made shall have the like effect as the like deposit of the Assurance to which the same relates would have had, but it shall not be necessary to register any equitable mortgage made by deposit of such Certificate.

LXXVII. In every case in which, but for this enactment, it would be the duty of any Attorney, Solicitor, or Agent to make any search in any of the Indexes to be kept at the Register Office, such Attorney, Solicitor, or Agent shall, as to any search of the result of which the Registrar may be required by the Regulations for the time being in force under this Act to give a Certificate, be held to have fulfilled his duty in that behalf by delivering at the Register Office a proper requisition for such search, stating therein particularly the object of such search, and by obtaining a Certificate from the Registrar of the result of the same, and shall not be responsible for any error or mistake in such Certificate, and in all other cases every Attorney, Solicitor, or Agent, shall stand indemnified in relying on the accuracy of any Certificate to be made or given in pursuance of this Act.

The duties of Attorneys, &c. to be fulfilled by causing an Office search to be made.

Attorneys, &c. indemnified in relying on the accuracy of Certificates.

LXXVIII. Each District Registrar, save where otherwise provided by the Regulations to be made as hereinafter mentioned, shall transmit at the end of every month to the Chief Registrar of the Presidency in which his District is situated, copies of every Assurance, and of the entries and references thereon, and of the entries in the several Indexes to such Assurances, deposited, registered, or made in the said District Registers or Indexes during such month, and the said

copies shall be written bookwise, or otherwise as the Chief Registrar of each such Presidency shall appoint, and the said Chief Registrar shall cause the said copies of the several Registers and Indexes of each District to be made up into separate books and parcels, and shall number and arrange the same in such manner as shall be directed by the Regulations to be made under this Act as hereinafter mentioned.

LXXIX. Where there are duplicate originals of any Assurance which is registered under this Act, it shall be lawful for any person to bring or send to the Chief or District Register Office any duplicate original which has not been deposited in the District Register Office, in order that the same may be compared with the deposited original, or with the copy thereof in the Chief Register Office, and thereupon the document so brought or sent shall be compared accordingly, and any variances which may be found shall be noted in the margin of such document; and in every such case the seal of the Chief or District Register Office, as the case may be, shall be impressed on each skin or sheet of the document brought or sent to be compared as aforesaid; and a Certificate, signed by the proper Officer of the Chief or District Register Office, as the case may be, shall be written at the head or in the margin of such document, or endorsed on the same, which Certificate shall contain a statement that a duplicate of the document in or upon which the same is written has been deposited in the District Register Office, and shall state the parties by whom the deposited original appears to have been executed, and shall specify the book or parcel in which the same is made up, and the number of the document in such book or parcel; and every document so sealed, with such Certificate thereon, containing such statement, and purporting to be so signed as aforesaid, and whether furnished from the Chief or District Register Office, shall in all cases be evidence that another part of the same Assurance has been deposited in the District Register Office, and is made up in the book or parcel mentioned in such Certificate, and is numbered in such book or parcel as in the said Certificate is specified.

Duplicates of deposited documents may be compared at the Office, and certified.

Every document so certified to be received as evidence that another part of the same Assurance has been deposited.

LXXX. Subject to the Regulations to be made under this Act, the Chief or District Registrar, as the case may be, shall cause to be provided, for any person applying for the same, copies or extracts from any document, which has been deposited in the District Register Office, or from the copy thereof transmitted to the Chief Register Office under this Act, and in every case where a copy or extract is so provided, the seal of the Chief or District Register Office, as the case may be, shall be impressed on each sheet of such copy or extract; and a Certificate, signed by the proper Officer of the said Chief or District Register Office, as the case may be, shall be written at the head or margin of such copy or extract, or endorsed on the same, which Certificate shall contain a statement that the copy or extract on which the same is written is an examined copy of or extract from a document deposited in the District Register Office, or from a copy of such document in the Chief Register Office, as the case may be, and shall specify the book or parcel in which such document is made up, and the number of such document in such book or parcel; and every document so sealed, with such Certificate thereon, containing such statement, and purporting to be so signed as aforesaid, and whether furnished from the District or Chief Register Office, shall be evidence that such document is a copy of or

Copies of and extracts from deposited instruments to be provided on application, and to be certified.

The seal of the Office, with a Certificate, to be evidence of such copies and extracts.

extract from a document deposited in the District Register Office, and made up in the book or parcel specified in such Certificate, and numbered in such book or parcel as in the said Certificate is expressed, and of the contents of the document deposited in the District Register Office, or of such part thereof as is purported to be extracted.

LXXXI. Subject to such Regulations as may be from time to time made under this

Act, any person interested under any Assurance, or in the matter of any search, on application at the Chief or District Register Office, shall, at at such times as may be limited by the Chief Registrar in this

behalf, be allowed to inspect and search any of the Indexes, and to examine and inspect any of the documents deposited in the Chief or District Register Offices under this Act, and to take extracts from any such Indexes or documents as aforesaid, and the Chief or District Registrar, as the case may be, shall, upon the delivery of such requisitions as under the Regulations hereinafter mentioned may be required, and, in accordance with such Regulations, make or cause to be made such searches in any of

Searches of the Indexes to be permitted, and inspections of deposited Instruments allowed.

such Indexes, and give such negative or other Certificates of the results of such searches, as by such Regulations may be directed in this behalf; and every such Certificate shall be sealed with the seal of the Register Office from which it is issued, and shall be signed by the Chief Registrar, or Assistant, or District Registrar of such Office, as the case may be.

LXXXII. No document deposited in the District Register Office under this Act, and no copy of a document in the Chief Register Office, shall be removed from the same respectively, except in obedience to legal process for the production thereof, and none of the

Documents deposited at the Registrar Office not to be removed, except on legal Process.

Indexes to be kept at the said Register Offices, respectively, shall be removed from the same on any account whatsoever.

LXXXIII. Provided always, that where any Will has been registered under this Act by the deposit of the original Will, the District Registrar shall, upon the request of any person entitled to prove such Will, or to take out Letters of Administration to the

Wills deposited at the Registrar Office may be removed for the purpose of being proved, &c.

testator with such Will annexed, or to take out a Certificate under Act XX. of 1841, such request to be testified by some writing, signed by and containing the address of the person making such request, and specifying the Court in which the Will is desired to be proved, or in which administration to the testator with the Will annexed, or a Certificate under Act XX. of 1841 is desired to be taken out, cause such Will, together with a Certificate of the same having been deposited in the District Register Office, which Certificate shall be sealed with the seal of the District Register Office, and signed by the District Registrar, to be transmitted to the Court so specified, in order that the same may be proved in such Court, or that Administration to the Testator with such Will annexed, or that such Certificate as aforesaid, may be granted by such Court; and the Registrar or other the Chief

After being proved, &c. the Will is to be returned.

Officer of the Court to which such will is so transmitted, or his deputy, shall, immediately after such Will has been proved, or Letters of Administration of the Effects of the Testator with such Will annexed or Certificate have been granted in or by such Court, or immediately after the termination of the proceedings in such Court, cause the same Will to be returned to the District Register Office.

LXXXIV.

Power to the Registrar to order that documents to be deposited shall be written bookwise or otherwise, &c.

For facilitating the making up into books or parcels of the several documents to be deposited at the respective Register Offices under this Act, and for the convenience of reference thereto, it shall be lawful for the Chief Registrar of each Presidency or place, with the consent of the

Government thereof, from time to time (either before or after the commencement of registration under this Act), by a notice to be published at least four times in the "Government Gazette" of each Presidency or place, of which the last time shall be not less than three calendar months before the time when the same is intended to take effect, to order and direct that all documents of any description, to be specified in such notice, which shall be brought or sent to the Register Office in order to be deposited in the same under this Act (with any exceptions which shall be specified in such notice), shall be written or engrossed bookwise, or in such manner as shall be specified in such notice, and shall be written or engrossed either on paper, vellum, or parchment, as shall in that behalf be in such notice directed, and to order and direct that such paper, vellum, or parchment shall be of such description, and of such shape and dimensions as in such notice shall be specified; and if, after the time when any notice to be given in pursuance of this power has taken effect, any document within the meaning of such notice be brought or sent to the Register Office to be deposited as aforesaid, which is not conformable with the directions in respect of the same contained in such notice, the person depositing the same shall pay, in addition to the ordinary fee made payable on such deposit, such extra fee as the Registrar may in each case think fit, not exceeding the amount of the said ordinary fee.

Additional payment on persons sending documents to be deposited, which shall not be conformable with such order.

LXXXV. It shall be lawful for the Chief Registrar of each Presidency or place, with the consent of the Government thereof, from time to time, either before or after the commencement of Registration under this Act, by a notice, to be published not less than four times in the "Government Gazette" of such Presidency or place (of which the last time shall be at least one calendar month before the time when the same shall be intended to take effect), to require that any statements which may appear to the Chief Registrar necessary or proper for directing or regulating the entries to be made on Registration, and for affording information for the making of such entries, shall be made and brought to the Register Office; and it shall also be lawful for the Chief Registrar, with such consent as aforesaid, by any such notice, to specify the form of such statements as aforesaid, and to require that the same shall be signed by the persons respectively requiring the registration, and shall contain the addresses of such persons respectively, and also to require that the same shall be either written or endorsed on the documents to be deposited as aforesaid, or written on separate papers, as the Chief Registrar shall think fit: Provided always, that nothing in this Act shall render the Registrar or any other Officer of the Register Office in any way responsible or liable in respect of any loss or damage which may be sustained or incurred by any person, in consequence of the omission of any entry or reference required by this Act to be made in the Register Office, or in consequence of any error in any such entry or reference, in any case where no statement has been sent to the Registrar Office conformably with any such notice as aforesaid, or in any case where such statement has been so

Power to the Registrar to require statements for regulating the entries to be sent with Assurances.

No Officer of the Register Office to be responsible for omissions or mistakes occasioned by defects in the statements.

of any entry or reference required by this Act to be made in the Register Office, or in consequence of any error in any such entry or reference, in any case where no statement has been sent to the Registrar Office conformably with any such notice as aforesaid, or in any case where such statement has been so

sent as aforesaid, and entries or references in conformity therewith have been made.

**LXXXVI.** It shall be lawful for each District Registrar (subject to any Regulations to be made as hereinafter mentioned under this Act) upon such evidence as may appear to him sufficient in this behalf, to correct errors in entries made, and supply entries omitted to be made, under this Act. Provided always, that in the correction of any such entry he shall not erase or render illegible the original entry, and shall, on correcting or supplying any entry, cause an entry to be made, in connexion with the entry so corrected or supplied, of the time when the same was so corrected or supplied; and every correction made, and omission supplied under this provision, shall be as effectual as if made at the time when the same ought to have been made, but not so as to affect any Assurance registered, or act done, previously to the actual time of the correction of the entry, or supplying the omitted entry.

**LXXXVII.** If any person, making any Affidavit under this Act shall therein wilfully swear falsely, such person shall be deemed guilty of wilful and corrupt perjury; and all Affidavits to be registered, or deposited in the Register Office under this Act, shall be sworn before a Chief Registrar, Assistant Registrar, District Registrar, Justice of the Peace, or Magistrate of the District, Town, or place where such Affidavit is sworn, or elsewhere before a Magistrate, and attested by a Notary, or before a British Minister, Resident, Consul, or Vice Consul.

**LXXXVIII.** If any person shall forge, counterfeit, or imitate, or cause or procure to be forged, counterfeited, or imitated, or knowingly act or assist in forging, counterfeiting, or imitating, upon any document upon which the seal of the Register Office is authorized to be impressed, the impression, or any part of the impression of the Seal of the Register Office, or shall knowingly stamp or mark, or cause or procure to be stamped or marked, or knowingly act or assist in stamping or marking, any such document with any forged or counterfeited Seal of the Register Office, with the intent to defraud any person whomsoever; or shall forge or counterfeit, or cause or procure to be forged or counterfeited, or knowingly act or assist in forging or counterfeiting the name, signature, or handwriting of any Officer, in any case in which the signature of such Officer is authorized to be made; or shall forge or counterfeit, or cause or procure to be forged or counterfeited, or knowingly act or assist in forging or counterfeiting the name, signature, or handwriting of any person whomsoever, to any instrument or document which is in and by this Act, or shall by the exercise of any power contained in this Act, be required or directed to be signed by such person; or shall, with an intention to defraud any person whomsoever, use any document upon which any impression or part of the impression of any Seal of the Register Office shall have been forged, counterfeited, or imitated, knowing the same to be forged, counterfeited, or imitated, or any document the signature of which shall be so forged or counterfeited as aforesaid, knowing the same to be forged or counterfeited, every such person so offending, being thereof lawfully convicted, shall be and is hereby declared and adjudged to be guilty of felony, and, being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the Seas for life, or for any term not less than seven years, or to be imprisoned (with or without hard labour) for any term not exceeding four years, nor less than one year.

**LXXXIX.** It shall be lawful for the Chief Registrar of each Presidency or place (with the consent of the Government there-

Chief Registrar,  
with consent of Go-

vernment, to fix fees to be taken under this Act.

of) to fix the fees to be taken in the several Register Offices in such Presidency or place in respect of documents to be registered, entries to be made, searches, certificates, office copies, and other matters to be done in such Office under this Act, and from time to time to vary or wholly abolish any such fees, and fix new fees.

**XC.** It shall be lawful for the Chief Registrar of each Presidency or place, with the consent of the Government thereof, from time to time, to direct that the fees or other payments which shall be received under the authority of this Act, shall be applied, under such Regulations as they shall appoint, in payment of the current or incidental expenses of the said Offices, or any of them.

**XCI.** Such fees and payments as aforesaid, or so much thereof as may not be applied as lastly hereinbefore mentioned in payment of any of the current or incidental expenses of the Register Offices, shall from time to time be paid into the Government Treasury of the Presidency or place in which such Register Offices are situate.

**XCII.** An Account shall be kept in each District Register Office of the fees and other payments received under the authority of this Act, and of the expenses paid thereout as aforesaid; and such account shall, from time to time, be forwarded to and examined, tried, and audited, by the Chief Registrars respectively, as well as the Civil Auditor of each Presidency or place respectively.

**XCIII.** It shall be lawful for the Governor or Governor in Council of each of the said Presidencies or Places to assign to the Chief Registrar thereof respectively a Salary not exceeding the monthly sum of and to every Assistant Registrar a Salary not exceeding the monthly sum of and to each District Registrar a Salary not exceeding the monthly sum of and to assign to the Clerks and other subordinate Officers of the Register Office such Salaries, or other remuneration, as to the said Governments respectively shall seem proper.

**XCIV.** Every action or suit which shall be brought by any person to recover damages for or by reason of any loss or damage occasioned by any omission or misfeasance of any Officer of the Register Office shall be brought against the Chief Registrar as the nominal defendant, and in case in any such action the plaintiff recover final judgment against such nominal defendant, then, upon the prayer of such plaintiff, the Court, or judge, as the case may be, of the

Court where such action or suit shall have been brought, shall, and he is hereby directed to certify to the Secretary to the Government of the Presidency or place in which such action or suit is brought, the fact of such judgment having been so recovered, and the amount of damages and costs recovered; and thereupon, or before the expiration of two calendar months after such judgment is so certified, the amount of such damages and costs shall be paid by the said Government to the person recovering the same, his Executors, Administrators, or Representatives. Provided always, that notice in writing of every such action, and of the cause thereof, shall be served upon the Secretaries to Government for the time being, and also upon the Registrar for the time being, one calendar month at

Power to assign Salaries to the Registrar, and other Officers of the Registry Office.

Actions for damages occasioned by the omission or misfeasance of any Officer of the Register Office to be brought against the Chief Registrar. If final judgment be recovered, the damages to be paid by Government.

Notice to be given to the Secretaries to Government.

least before the commencement of such action: Provided also that no Chief Registrar, nor the real or personal Estate of any Chief Registrar, shall be in any way chargeable with or upon any judgment recovered as aforesaid; nor shall any process or notice in or relating to any such action, (except as aforesaid) be served upon the Chief Registrar, but all such processes and notices shall be served upon the Secretary to the Government of the Presidency or place in which such action or suit is brought.

**XCIV.** If in any such action or suit judgment be given in favour of the nominal defendant, or the plaintiff withdraw his action or suit, or discontinue, or become non-suit, the plaintiff shall be liable to pay the full costs of defending such action, and the same (when taxed) shall be levied in the name of the nominal defendant by the like

process of execution, as in other actions or suits of the like nature.

**XCVI.** If at any time before payment to the plaintiff of any damages recovered by any such judgment as aforesaid, an appeal be made from such judgment, such damages shall not be paid until the judgment is affirmed; and if after payment to the plaintiff of any damages recovered by any such judgment as aforesaid, such judgment be reversed, the Court by which such judgment is reversed shall award a writ of restitution against the plaintiff in the name of the nominal defendant, or order the plaintiff to pay the same to the nominal defendant; and when the monies thereby directed to be levied, or any part thereof, are brought into Court, the said Court shall order the same to be paid into the Government Treasury to the account of Government.

**XCVII.** It shall be lawful for the Chief Registrar of each Presidency or place, with the consent of the Government thereof, to enter into and conclude a compromise with any person claiming a right of action or damages by reason of any loss or damage occasioned by any omission, mistake, or misfeasance of any Officer of the Register Office; and, upon payment thereof, the person receiving the same shall execute to the Registrar a release of the cause of action in respect of which such payment is made, and such release may be pleaded in bar to any action which the person executing the same, or any person claiming under him, shall bring to recover damages for or by reason of any loss or damage occasioned by the same omission, mistake, or misfeasance.

**XCVIII.** Provided also, that the time which by the Act and Regulations now in force is limited for commencing or suing actions, shall, so far as respects any action brought in the manner directed by this Act to recover damages for any loss or damage arising from any omission, mistake, or misfeasance of any Officer of the Register Office, be computed and run from the time when actual loss or damage has arisen from such omission, mistake, or misfeasance as aforesaid.

**XCIX.** Every action which, under the Provisions of this Act, shall be brought by or against any Chief Registrar, shall be so brought by or against him by his name of Office; and no such action shall abate by reason of the death or removal from Office of any such Chief Registrar.

**C.** It shall be lawful for the Chief Registrar of each Presidency or place, with the consent of the Government thereof, from time to time, to make such

Regulations, as to him may seem proper, for and in relation to all or any of the matters hereinafter mentioned, viz., for determining the cases in which Assurances are to be indexed in the Index of Titles under new heads and existing heads respectively, and the heads under which Assurances are to be indexed in such Index, and in what cases of Assurances indexed in the Index of Titles, references shall be made under any head in such Index to any other head in such Index, and in what cases of Assurances so indexed, entries in respect thereof shall be made in the Indexes, of the names of Grantors, or in the Index to Testators and Intestates, or in the Index of Insolvents, (as the case may require,) and providing generally for the convenient classification and arrangement under heads in the Index of Titles of the Assurances to be indexed therein, and the making of such references between any heads of such Index in respect of Assurances connected in Title, and of such entries in the Indexes of the names of the Grantors, the Indexes to Testators and Intestates, and the Index to Insolvents, and any other Index kept in the Register Office, as may, in the opinion of the Chief Registrar, tend to render searches easy and safe.

The particulars to be entered in the Indexes to be kept in the Register Office where entries are required under this Act, and the form and manner of such entries,

The correction of errors and supplying of omissions in entries made under this Act.

The issue of Certificates of registration in substitution for like Certificates, which may have been lost or destroyed.

The making of Copies of, and Extracts from, deposited documents, and the granting of Certificates with reference thereto, and the restrictions and conditions under which such Copies, Extracts, or Certificates shall be given.

The making of searches of, and providing and issuing extracts from, any of the Indexes to be kept at the Register Office, and granting negative or other certificates with reference thereto, the forms of requisition for such copies, extracts, or searches as aforesaid, and the giving of receipts for documents received at the Register Office, the mode in which, and the restrictions and conditions under which searches of the Indexes kept at the said Office, and inspection of documents deposited there, shall be permitted.

And for regulating all other matters and things whatsoever connected with the regulation and management of the said Register Offices, and the execution of this Act not specially hereby provided for, and generally for giving effect to the provisions of this Act, and from time to time to alter, vary, or revoke any such Regulations, and make any new Regulation in relation to the matters aforesaid; and all Regulations to be made under this Act by the Chief Registrar, with such consent as aforesaid, shall be published in the "Government Gazette," and a copy thereof shall be sent to each District Registrar in the said Presidency or place, and such District Registrar shall retain such copy, and permit persons to inspect the same, and to make copies and extracts of and from the same.

**CI.** The Chief Registrar of each Presidency or place shall, within one month after the commencement of registration under this Act, send to the Secretary to the Government of such Presidency or place a report of the Districts formed under this Act, and of all other Acts and matters done by the Registrar preparatory to such commencement of registration, and shall also, in the month of January in every year, send to such Secretary a general report of his proceedings under this Act, and of the business of the Chief Register Office, and of the other District Register Offices subordinate to him, and shall

Chief Registrar to report to Government. Reports to be laid before Governor General in Council.



specify in such report whether any and what difficulties have arisen in or in relation to registration under this Act, or the searches required to be made, or otherwise in the operation of this Act, or any regulations made thereunder, and whether any and what alterations have been suggested which appear to him expedient, or have occurred to him, and whether the same can or cannot be effected without the aid of the Legislature; and may in such report make such observations or suggestions in relation to the matters aforesaid as the Chief Registrar may think fit; and every such report shall be laid before the Governor General of India in Council, within two months after the receipt thereof, by the said Governments respectively.

CII. The following words and expressions in this Act shall have the several meanings hereby assigned to them, unless such meanings be repugnant or inconsistent with the context, (that is to say,)

Words importing the singular number only shall include the plural, and words importing the plural number only shall include the singular number.

Words importing the masculine gender shall include females.

The Word "Person" shall apply to and include corporations.

The Word "Assurance" shall extend to a feoffment, grant, bargain, and sale, bill of sale, lease and release, deed of covenant, gift, mortgage, lease, or agreement for a lease for a longer period than seven years, and any assignment of such lease, and also to a lien, guarantee, contract, agreement, memorandum, or any document by this Act declared to be an Assurance, or any other deed or document whereby any lands, money, or moveable property are conveyed, transferred, appointed, or assigned, except such documents as by Sections XXXIV, and XXXV. of this Act are excepted, and every person claiming deriva-

tively under any Assurance shall be considered as claiming under the same.

The word "Grantor" shall apply to any person by whom lands, money, or moveable property shall be conveyed, transferred, appointed, charged, assigned, or otherwise affected.

The word "District" shall mean a District formed under this Act.

The word "Lands" shall extend to all lands, tenements, and hereditaments of any tenure, and all houses, buildings, and walls thereupon, and any estate or interest in the same, whether legal or equitable.

The word "Title" shall extend to a power or right to convey or otherwise affect lands.

The word- "Will" shall extend to a Codicil, Wassuyutnumah, or other testamentary paper, or to an appointment by Will, or by writing in the nature of a Will in exercise of a Power.

The word "Addition," where the addition of any person whose name is required by this Act to be entered in any Index is hereby directed to be entered with such name, shall mean the description as to residence, title, rank, profession, or occupation of such person.

The expression "the District in which such Assurance is made" shall mean the District wherein the party who conveys, assures, assigns, transfers, or appoints by such Assurance executes the same, and where two or more parties thereby convey, assure, transfer, assign, or appoint, the District in which the same is executed by the second or last party who conveys, assures, transfers, assigns, or appoints thereby.


The expression "after the execution thereof by the party who conveys, assures, transfers, assigns, or appoints thereby," when there are two or more of such parties, shall mean the second or last party who conveys, assures, transfers, assigns, or appoints thereby.

SCHEDULE A.

FORMS FOR RECEIPT BOOKS.

FORM 1.


Receipts for "The Register of Titles relating to Lands."

<p style="text-align: center;"><b>RECEIPT.</b></p> <p><i>No. 20 Calcutta, District Register Office.</i> Assurance deposited in this Office on the 10th day of <i>January</i> 1853, at <math>\frac{1}{2}</math> past 10 A. M. Date of Assurance, . . . . . <i>9th January 1853.</i> Parties to ditto, . . . . . <i>Baboo Gooroochurn Ghose of the one part. John Brown and Edward Jones of the other part.</i></p> <p>Entries in Indexes to "The Register of Title Deeds relating to Lands," . . . . .</p> <p>Index of Titles—<i>No. 2 of 50 Hastings Street, Calcutta.</i></p> <p>Index of the names of Grantors, . . . . . <i>Baboo Gooroochurn Ghose.</i></p> <p>Index of Insolvents, . . . . .</p> <p>Index of Testators and Intestates, . . . . .</p> <p>Land Index (if any), . . . . .</p> <p>Signed <i>John Cox,</i> District Registrar.</p>		<p style="text-align: center;"><b>RECEIPT.</b></p> <p><i>No. 20 Calcutta, District Register Office.</i> Assurance deposited in this Office on the 10th day of <i>January</i> 1853, at <math>\frac{1}{2}</math> past 10 A. M. Date of Assurance, . . . . . <i>9th January 1853.</i> Parties to ditto, . . . . . <i>Baboo Gooroochurn Ghose of the one part. John Brown and Edward Jones of the other part.</i></p> <p>Entries in Indexes to "The Register of Title Deeds relating to Lands," . . . . .</p> <p>Index of Titles—<i>No. 2 of 50 Hastings Street, Calcutta.</i></p> <p>Index of the names of Grantors, . . . . . <i>Baboo Gooroochurn Ghose.</i></p> <p>Index of Insolvents, . . . . .</p> <p>Index of Testators and Intestates, . . . . .</p> <p>Land Index (if any), . . . . .</p> <p>Signed <i>John Cox,</i> District Registrar.</p>
--	---	--

N. B.—The words and figures in Italics in this Schedule to be filled up as the case may be, and references must be added to all other Indexes in which the Assurance is registered.

FORM 2.


Receipts for "The General Register."

<p><b>RECEIPT.</b></p> <p><i>No. 50</i>      <i>Calcutta</i>, District Register Office.          Assurance deposited in this Office, on the 12th day of <i>January</i>          1853, at 20 minutes past 1 P. M.          Date of Assurance, . . . . . 10th <i>January</i> 1853.          Parties to ditto, . . . . . <i>John Cochrane</i>,             <i>Offl. Assec. of the 1st part.</i>             <i>Hurrishunder Ghose</i>, . . 2nd part.             <i>Dwarkanath Bhowe</i>, . . 3rd part.</p> <p>Entries in Indexes to }          "The General Re- }          gister," . . . . . } Index of the }             names of } <i>John Cochrane</i>.             Grantors, . . . . . }             Index of the }             names of } <i>Hurrishunder</i>             Insolvents, } <i>Ghose</i>.             Index of Tes- }             tators and }             Intestates, . }          Signed <i>John Cox</i>,             District Registrar.</p>		<p><b>RECEIPT.</b></p> <p><i>No. 50</i>      <i>Calcutta</i>, District Register Office.          Assurance deposited in this Office, on the 12th day of <i>January</i>          1853, at 20 minutes past 1 P. M.          Date of Assurance, . . . . . 10th <i>January</i> 1853.          Parties to ditto, . . . . . <i>John Cochrane</i>,             <i>Offl. Assec. of the 1st part.</i>             <i>Hurrishunder Ghose</i>, . . 2nd part.             <i>Dwarkanath Bhowe</i>, . . 3rd part.</p> <p>Entries in Indexes to }          "The General Re- }          gister," . . . . . } Index of the }             names of } <i>John Cochrane</i>.             Grantors, . . . . . }             Index of the }             names of } <i>Hurrishunder</i>             Insolvents, } <i>Ghose</i>.             Index of Tes- }             tators and }             Intestates, . }          Signed <i>John Cox</i>,             District Registrar.</p>
---	---	---

N. B.—The words and figures in Italics in this Schedule to be filled up as the case may be, and references must be added to all other Indexes in which the Assurance is registered.

FORM 3.

Receipts for Register of Leases.

<p><b>RECEIPT.</b></p> <p><i>No. 10</i>      <i>Calcutta</i>, District Register Office.          Lease deposited in this Office, on the 10th day of <i>January</i> 1853.          Date of Lease, . . . . . 9th of <i>January</i> 1853.          Parties to ditto, . . . . . <i>Muttyloll Doss</i>.             <i>Annunchunder Ghose</i>.</p> <p>Entries in Indexes to }          "The Register of }          Leases," . . . . . } Index of Titles, { <i>No. 1 of 20 Flag</i>             . . . . . } <i>Street, Calcutta</i>.             Index of the }             names of Les- } <i>Muttyloll Doss</i>.             sors, . . . . . }          Signed <i>John Cox</i>,             District Registrar.</p>		<p><b>RECEIPT.</b></p> <p><i>No. 10</i>      <i>Calcutta</i>, District Register Office.          Lease deposited in this Office, on the 10th day of <i>January</i> 1853.          Date of Lease, . . . . . 9th of <i>January</i> 1853.          Parties to ditto, . . . . . <i>Muttyloll Doss</i>.             <i>Annunchunder Ghose</i>.</p> <p>Entries in Indexes }          to "The Register of }          Leases," . . . . . } Index of Titles, { <i>No. 1 of 20 Flag</i>             . . . . . } <i>Street, Calcutta</i>.             Index of the }             names of Les- } <i>Muttyloll Doss</i>.             sors, . . . . . }          Signed <i>John Cox</i>,             District Registrar.</p>
---	--	---

N. B.—The words and figures in Italics in this Form to be filled up as the case may be.

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 20th day of May 1852.

FRED. JAS. HALLIDAY,  
*Secy. to the Govt. of India.*

FORT WILLIAM,  
 HOME DEPARTMENT,  
 LEGISLATIVE,  
 the 27th February 1852.

The following Draft of a proposed Act was read in Council for the first time on the 27th February 1852:—

ACT No.,— OF 1852.

*An Act to confer upon certain Inhabitants of the Territories in India under the Government of the East India Company, the rights of Subjects of Her Majesty.*

Whereas it is expedient to remove by law doubts that may have arisen as to the Civil and Political rights of certain persons domiciled in the Territories in India under the Government of the East India Company, and to provide for the naturalization of such persons, not being by law entitled to be regarded as subjects of Her Majesty, It is enacted as follows:

I. All persons actually domiciled in the said Territories, who shall have resided, or shall continue to reside therein, or in some other part of Her Majesty's dominions, until they shall have been resident inhabitants of Her Majesty's dominions for the space of seven years continually, without having been during that time stated residents in any foreign country, shall be deemed, adjudged, and taken to be natural-born subjects of Her Majesty, as if they and every of them had been born within the said Territories under the Government of the said East India Company. Provided always, that no such person shall be entitled to the benefit of this Act unless he shall, after he shall have completed such stated residence of seven years continually, apply for and obtain the permission in writing of the Governor in Council, Governor, or Lieutenant Governor of the Presidency or place in which he is resident, to become naturalized as aforesaid, and take and subscribe the oath, or, if he be a person allowed by law to affirm in civil cases, make the declaration contained in the Schedule annexed to this Act, before some Justice of the Peace or Magistrate.

II. Nothing in this Act contained shall be construed so as to deprive the Courts of the East India Company of jurisdiction over any such naturalized person, or to give to the Courts of Her Majesty any jurisdiction over any such person, not otherwise subject to such jurisdiction.

III. All Justices of the Peace, or Magistrates within the said Territories, are hereby empowered to administer the oath or affirmation contained in the Schedule annexed to this Act to all persons desirous of taking or making the same, who shall produce the written permission of the Governor in Council, Governor, or Lieutenant Governor hereinbefore mentioned, and the said Justices or Magistrates shall record the administration of such oath or affirmation in their proceedings, and shall file and preserve a copy thereof, subscribed by the person taking or making the same, and shall report the name and description of every such person to the Secretary to the Government of the Presidency in which such oath or affirmation is taken or made.

#### SCHEDULE.

##### OATH.

I, A. B., (here state the description of the party), do swear (or being one of the persons allowed by law to affirm in civil cases, do affirm,) that I have resided seven years in Her Majesty's dominions, without having been, during that time, a stated resident in any foreign country, and that I will be faithful and bear true allegiance to the Sovereign of the United Kingdom of Great Britain and Ireland, and of these territories as dependent thereon.

(Signed) A. B.

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

Ordered, that the said Draft be reconsidered at the first Meeting of the Legislative Council of India after the 27th day of May next.

FRED. JAS. HALLIDAY,  
Secy. to the Govt. of India.

FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,

the 27th February 1852.

The following Extract from the Proceedings of the Governor General of India in Council, in the Legislative Branch of the Home Department, under date the 27th February 1852, is published for general information :

Read a second time the Draft of a proposed Act, dated the 22nd August 1851, and published in the *Supplement to the Calcutta Gazette* of the 23rd August 1851, to amend the law for the attendance and examination of witnesses in the Civil Courts of the Bengal Presidency.

*Resolution.*—The Governor General in Council resolves, that the following revised Draft on the subject be published for general information :

ACT No. — OF 1852.

*An Act to amend the Law of Evidence in the Civil Courts of the Bengal Presidency.*

Whereas the law of evidence administered by the Civil Courts of the Presidency of Fort William in Bengal, and the rules for the attendance and examination of witnesses in such Courts, require amendment, It is enacted as follows :

I. Sections XXXIII. and LXXIII. of Regulation XXIII. of 1814 of the Bengal Code, regarding the examination of witnesses before Moonsiffs and Sudder Ameen, and so much of Section XI. Regulation XXIV. of 1814 of the same Code, and Section

I. Act VI. of 1843, as authorizes the examination of witnesses otherwise than personally by the presiding City or Zillah Judge, or Principal Sudder Ameen, are hereby repealed.

II. In any regular suit, appeal, or miscellaneous proceeding, it shall be lawful for the Judge, upon good and sufficient grounds in the estimation of such Judge being shown, to examine any party to such suit, appeal, or proceeding, as a witness, with respect to any question at issue therein, and also to order, in accordance with the provisions hereinafter contained, any such party as aforesaid to produce any document in his possession or power. Provided always, that female parties, who, according to the custom of the country, ought not to be compelled to appear as witnesses in Court, shall be examined as hereinafter in Section XVIII. mentioned. Provided also, that if any party to any such suit, appeal, or proceeding as aforesaid, shall satisfy the Judge that the subject of inquiry is not one of which such party has personal knowledge, he shall be allowed to name any agent, local manager, or other person on his behalf, who has personal knowledge of such matter, and then and in such case, the evidence of the agent, local manager, or other person, shall be accepted by the Judge in lieu of the evidence of such party, and the statement of the agent, local manager, or person so examined shall be held conclusive against the party, in like manner as his own statement would have been.

III. If any party to such suit, appeal, or proceeding as aforesaid shall refer to any document in his possession or power, in any pleading or statement filed or made by him in such suit, appeal, or proceeding, the adverse party, before replying to such pleading or statement, may apply to the Judge before whom such suit, appeal, or proceeding is pending, to order the production of such document for his inspection, and it shall thereupon be lawful for the said Judge to issue an order in writing, directing the production of such document, at a place and time to be named in such order, and from time to time, by similar orders, to enlarge the time allowed for such production, if the said Judge shall think fit so to do; and if the said party shall not produce the document at the time and place appointed for the production thereof, the Judge may proceed against him in such manner as is provided by Section X. of this Act, with respect to parties summoned or examined as witnesses.

IV. After the parties in a suit have filed their exhibits and lists of witnesses whom they desire to summon, the Judge shall, by an order in writing, appoint a day, not less than fifteen nor more than forty days after the date of such order, for the examination of witnesses and the hearing of the suit.

V. The Judge, or an Officer of the Court to be specially charged with the duty by the Judge, shall, on the requisition of the plaintiff or defendant, or their respective vakeels, issue a summons to every witness whom the parties may name, on payment into Court of such reasonable sum as shall, under the rules established in that respect under the authority of the Sudder Dewanny Adawlut, appear to be necessary, to defray the travelling and other expenses of such witness in passing to and from the Court, and being detained thereat. Provided always, that no such summons shall be issued to any Hindoo or Mahomedan woman of a rank or quality which, according to the manners and customs of the country, would render it improper to compel her to appear as a witness in a Court of Justice.

VI. Every such summons shall set forth at whose request it has been issued, and shall require the intended witness to appear in the Court on the day named in the summons, and there to give evidence concerning the matter in dispute between the parties. If a witness is required to appear, and to produce before the Court any documents alleged by the party

summoning him to be in his possession or power, a direction to attend the Court with such documents shall be inserted in the summons, and the nature of each document which the witness may be so called upon to produce, shall be set forth in the summons with reasonable certainty.

VII. A witness, not being a party to the suit or proceeding in which he is summoned, shall not be bound to produce his own title deeds, or the title deeds of his principal or client, nor any document relating to affairs of state, the production of which would be contrary to good policy, nor any document, the production of which would involve a breach of professional confidence on his part. A witness, who is a party to the suit or proceeding in which he is summoned, shall not be bound to produce any document in his possession or power which exclusively relates to his own case, and is not relevant and material to the case made by the party opposed to him in such suit, appeal, or proceeding, nor any documents which passed between him and his professional advisers relating to the said suit, appeal, or proceeding, or in contemplation thereof. Provided always, that every party shall be bound to produce all documents mentioned or referred to by himself, in any pleading or statement filed in the suit, appeal, or proceeding in which he is summoned as a witness.

VIII. Every witness, on receipt of a summons to appear and produce a document in his possession or power, as aforesaid, shall be bound to bring such document into Court, although he may have a valid excuse for not disclosing the contents thereof, and the validity of any objection made by such witness to the production of such document in evidence shall be determined by the Courts; and for the better determination thereof it shall be lawful for the Court to receive any affidavit or deposition which the witness may make, depose to, or produce respecting the said document, and it shall also be lawful for the Court, in their discretion, to inspect the document, and if the Court shall be of opinion that such document should not be produced, the Court shall not disclose the contents thereof to the parties, or take any note, or make any mention thereof, in their judgment or proceedings, but shall return the document at once to the party producing the same.

IX. When the Judge, on the application of either of the parties to such suit, appeal, or proceeding as aforesaid, or in his own discretion, may determine to proceed under the authority given by Section II. of this Act, he shall, if the party whom he may desire to examine be personally present in Court, proceed to take his evidence, and if the party shall not be personally present in Court, but shall be represented by a Pleader, the Judge shall cause to be delivered to such Pleader a notice in writing, for which a receipt shall be taken from the Pleader, desiring the party to appear in Court by a day to be therein named, for the purpose of being examined; or if a defendant shall not have appeared in Court, either personally or by a Pleader, a summons may be issued for his attendance, as in the case of an ordinary witness.

X. If any witness to whom any such Summons as aforesaid shall have been delivered, shall, without lawful excuse, fail to attend on the day appointed, or, attending, shall refuse to give evidence, or to subscribe his deposition, or to produce any document named in such Summons as aforesaid, which the Judge shall be satisfied the witness has in his possession or power, and shall consider he is bound to produce, the Judge shall have full power and authority to issue an order in writing to the Nazir, to seize and bring the witness before the Court, or, if he be already before the Court, to take him into custody, and, in his discretion, may impose on such witness a fine, not exceeding five hundred rupees for his default, realizable by attachment and sale of his property, and may commit him

to close custody until he shall consent to give his evidence, and to sign his deposition, or to produce the document aforesaid; or, if the witness be a plaintiff or petitioner in the suit or proceeding, his complaint or petition may be dismissed with costs; and any such fine as aforesaid shall be levied and recovered by attachment and sale of property of any such witness as aforesaid, and if any such witness, to whom a summons has been delivered, shall abscond or conceal himself, so that he cannot be seized and brought before the Court, his property shall be liable to attachment and sale, in the same manner as is provided by Sections XII. XIV. and XV. of this Act with respect to witnesses on whom the Nazir may be unable to serve a Summons.

XI. If a witness, who attends pursuant to a Summons, shall have incurred any expense in consequence of his being required to appear, the Judge shall award to him such sum for his charges as may appear reasonable, whether he be examined or not, and until payment of the sum so awarded, the person summoned may refuse to give evidence.

XII. When a witness, after diligent search, to be certified by a return of the Nazir, cannot be found, it shall be deemed a sufficient service of the Summons on such witness, if a proclamation requiring his attendance to give evidence be affixed, in the presence and with the attestation of two respectable householders of the village, outside of his house or place of usual abode, and if such witness does not attend within four weeks from the date of the proclamation being so affixed, and it is proved to the satisfaction of the Court, on oath, that the evidence of the witness is material to the cause, and that he cannot be found, and that there is good ground for believing that he has absconded to avoid giving evidence therein, his property, real and personal, to such amount as the Judge shall deem reasonable, (but subject to the same limitation as to the articles exempt from attachment as in the case of attachment for arrears of rent,) shall be liable to attachment and sale. Provided always, that when the order of attachment and sale shall have been issued by any Court subordinate to the Courts of Sudder Dewanny Adawlut, an appeal shall lie within one month from the date of the order of the subordinate Court to the Court to which its orders are generally appealable, and the rules in force in regard to sales made in execution of decrees, as to the place or manner of sale, and as to claims of third parties to property attached and notified for sale, shall be held applicable to such sales, or to sales in satisfaction of fines under Section X. of this Act.

XIII. It shall not be necessary to postpone the decision of a case for the evidence of a witness confined or absconding beyond such period as may appear proper to the Judge, upon application made to him according to Section XIX. of this Act.

XIV. The cost of the attachment shall be borne in the first instance by the party applying for it, and the Court issuing the summons and attachment shall not proceed to sale of the property, if the person summoned as a witness shall appear and satisfy the Court that his absence was not owing to any wilful default. Upon the appearance of such witness, the Court shall make such order in regard to the costs of the attachment as it shall deem fit, and if the witness appearing shall fail to satisfy the Court that his previous absence was not owing to any wilful default, it shall be in the discretion of the Court to release the property from attachment, upon payment of all costs, and of such fine as the Court may deem reasonable, with reference to the circumstances of the case, and the condition in life of the witness, and such fine may be recovered by sale of his property, a sufficient portion of which may be retained under attachment for that purpose.

XV. All orders as to costs or fines, or the levy

thereof under the last preceding Section, and all orders passed under Section X. of this Act, shall be subject to the like appeal as hereinbefore in Section XII. mentioned.

XVI. On the day appointed for trial, the Judge shall require the parties or their pleaders to state and argue on their cases orally in open Court, with reference to the issues previously declared in the proceeding recorded under Section X. Regulation XXVI. of 1814.

XVII. The evidence of the attending witnesses shall be taken in open Court before the parties or their representatives, in the presence and under the personal direction of the Judge, and shall be recorded in such manner and according to such forms as shall be from time to time prescribed in that behalf by the Courts of Sudder Dewanny Adawlut.

XVIII. In cases where the evidence is needed of females who, according to the customs of the country, ought not to be compelled to appear as witnesses in a Court of Justice, or in any other case in which the Judge shall be of opinion that the ends of justice require and justify it, he may issue a Commission to any Officer of his Court or other person to be named in such Commission for the examination of such females or persons, in the presence of both parties to the suit, or their Vakeels, and with liberty to the parties or their Vakeels to cross-examine, anything in Section V. of Act VII. of 1841 to the contrary notwithstanding.

XIX. If it shall be proved to the satisfaction of the Judge that any application has been preferred to him for the examination of any party to a suit, appeal, or proceeding from vexatious or malicious motives, it shall be lawful for such Judge to impose a fine, not exceeding one thousand rupees, on the party by whom or on whose behalf such application shall have been made, and the said fine shall be realized in like manner as other fines imposed under Section X., and the orders imposing such fines, or for the attachment and sale of the property of such person, shall be subject to the same appeal as hereinbefore in Section XII. provided.

XX. On or before the day appointed for trial, the Judge may, for any sufficient reason, such as the unavoidable absence of any material witness, or for other good cause, on the application of either party, postpone the hearing to another day, to be named, on such terms as to the payment of the costs of postponement to the other party, as to the Judge shall seem reasonable.

XXI. The recording of evidence on the trial of any suit, when begun under the rules above enacted, shall continue on the same day, or on consecutive days, until the whole of the evidence of the witnesses present has been heard, and after considering such testimony, and the documentary evidence adduced, the Judge shall record his judgment under Act XII. of 1843.

XXII. The Judge, on the application of either party, shall cause public notice to be given in Court, either before or during the examination of any witness, requiring all other witnesses who have been summoned in the same cause, and who are present in Court, to leave the Court. Any witness in a cause who remains in Court after the giving of such notice, shall be punishable as for contempt, and shall be liable at the discretion of the Judge to any fine not exceeding rupees 200, or to imprisonment in the Civil Jail, with or without labor, for any term not exceeding three Calendar months.

XXIII. Any party to a suit, appeal, or proceeding, who is examined as a witness therein, shall be examined under the same rules as are now in force for the examination of other witnesses, and shall be liable, in respect of any false evidence given by him on any issue material to such suit, appeal, or proceed-

ing, to punishment for perjury, under the provisions of Regulation 11, of 1807.

XXIV. The word "Judge," as used in this Act, shall be taken to mean the person presiding, or having the chief judicial authority in any Court, however designated, in the Presidency of Bengal, or in places subordinate thereto.

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

Ordered, that the said Draft be reconsidered at the first meeting of the Legislative Council of India, after the 27th day of April next.

FRED. JAS. HALLIDAY,  
*Secy. to the Govt. of India.*

FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,  
*the 27th February 1852.*

The following Act, passed by the Governor General of India in Council on the 27th of February 1852, is hereby promulgated for general information :

ACT No. XIV. OF 1852.

*An Act for extending the provisions of Acts XXIV. of 1841 and XVII. of 1843 to the Straits Settlement.*

Whereas doubts have been entertained whether Acts XXIV. of 1841 and XVII. of 1843 are in force in the Settlement of Prince of Wales' Island, Singapore, and Malacca; It is hereby enacted as follows :

I. The provisions of Acts XXIV. of 1841 and XVII. of 1843 shall be applicable and in force in the said Settlement.

II. All provisions contained in Act XXIV. of 1841 and Act XVII. of 1843, relating to Her Majesty's Supreme Courts, shall be applicable to the Court of Judicature of the said Settlement, and shall be respectively construed as if, instead of the words Her Majesty's Supreme Courts, or Her Majesty's Supreme Courts of the respective Presidencies, or the Supreme Court of each of the Presidencies, the words "the Court of Judicature of Prince of Wales' Island, Singapore, and Malacca," had been therein mentioned.

FRED. JAS. HALLIDAY,  
*Secy. to the Govt. of India.*

FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,  
*the 27th February 1852.*

The following Act, passed by the Governor General of India in Council on the 27th February 1852, is hereby promulgated for general information :

ACT No. XIII. OF 1852.

*An Act for consolidating and amending the Regulations of the Calcutta Police.*

Whereas it is expedient to consolidate and amend divers Rules, Ordinances, and Regulations which from time to time have been passed in Council, and registered in the Supreme Court, for the good order and civil government of the Presidency and Settlement of Fort William in Bengal, it is enacted as follows :

I. Section VIII. of Act XXI. of 1839, and the Rules, Ordinances, and Regulations for the good order and civil government of the Settlement of Fort William in Bengal, passed in Coun-

cil, and registered in the Supreme Court on the several days hereinafter mentioned, are repealed, but not so as to revive any other Rules, Ordinances, and Regulations thereby repealed.

*List of Repealed Ordinances.*

Date of passing in Council.	Date of Registry in the Supreme Court.
26th July 1814.	11th November 1814.
1st March 1816.	26th March 1816.
23rd March 1816.	13th April 1816.
14th June 1816.	8th July 1816.
19th October 1816.	12th November 1816.
28th March 1817.	21st April 1817.
13th January 1818.	7th February 1818.
9th July 1819.	22nd October 1819.
24th March 1820.	17th April 1820.
21st August 1821.	13th November 1821.
8th March 1827.	27th April 1827.

II. If any person within the said Town, having sufficient means or employment, shall not duly maintain his wife, or his legitimate and illegitimate children, and shall be thereof convicted before a Justice of the Peace, upon his own confession, or the oath of one or more credible witnesses, the said Justice may make an order upon such person for the maintenance of such wife and children, or any of them, at such monthly rate as to the Justice seems reasonable, and upon noncompliance with the said order for any one month, or longer period, any Justice, by warrant under his hand and seal, may commit the person so convicted to the Common Gaol of Calcutta, without labour, or to the House of Correction to hard labour for any time not exceeding two Calendar months.

III. Every person who shall be brought before a Justice of the Peace charged with having in his possession, or in his premises with his knowledge, or with conveying in any manner anything which may be reasonably suspected of being stolen or unlawfully obtained, and who shall not give an account to the satisfaction of such Justice how he came by the same, shall be deemed guilty of a misdemeanor, and on conviction thereof before such Justice shall be liable to a penalty not exceeding one hundred rupees, or, in the discretion of the said Justice, to imprisonment, with or without hard labour, for any time not exceeding three Calendar months.

IV. When any person shall be brought before a Justice of the Peace, charged with having in his possession, or in his premises with his knowledge, or with conveying, anything stolen or unlawfully obtained, and shall declare that he received the same from some other person, or that he was employed as a carrier, agent, or servant, to convey the same for some other person, such Justice shall cause every such person, and also if necessary every former or pretended purchaser, or other person through whose possession the same shall have passed, to be brought before him and examined, and shall examine witnesses upon oath touching the same, and if it shall appear to such Justice that any person shall have had possession of such thing, and had reasonable cause to believe the same to have been stolen or unlawfully obtained, such person shall be deemed guilty of a misdemeanor, and shall be liable to a penalty not exceeding one hundred rupees, or, in the discretion of the Justice, may be imprisoned, with or without hard labour, for any time not exceed-

Persons in whose possession stolen goods are found to be examined, &c.

ing three Calendar months. Every such person shall be deemed to have had possession of such thing at the time and place when and where the same shall have been found or seized, and the possession of a carrier, agent, or servant, shall be deemed to be the possession of the person who shall have employed such carrier, agent, or servant, to keep or convey the same.

V. If information shall be given on oath to a Justice of the Peace that there is reasonable cause for suspecting that anything stolen or unlawfully obtained is concealed or lodged in any dwelling-house, building, or other place, such Justice, by special warrant under his hand, directed to any police officer or constable, may cause such dwelling-house, building, or other place, to be entered and searched at any time of the day, or by night, if power for that purpose be given by such warrant, and the said Justice, if it shall appear to him necessary, may empower such police officer or constable, with such assistance as may be found necessary, (such constable having previously made known his authority,) to use force for the effecting of such entry, whether by breaking open doors or otherwise, and if upon search thereupon made any such thing shall be found, then to convey the same before a Justice, or to guard the same on the spot until the offenders are taken before a Justice, or otherwise dispose thereof in some place of safety, and moreover to take into custody, and carry before the said Justice, every person found in such house or place, who shall appear to have been privy to the deposit of any such thing, knowing or having reasonable cause to suspect the same to have been stolen or otherwise unlawfully obtained.

VI. If information shall be given to any Superintendent, Deputy Superintendent, or Inspector, belonging to the Calcutta Police, that there is reasonable cause for suspecting that any stolen property is concealed or lodged in any dwelling-house or other place, and the said Superintendent, Deputy Superintendent, or Inspector, shall have good grounds for believing that, by reason of the delay in obtaining a search-warrant, the property is likely to be removed, the said Superintendent, Deputy Superintendent, or Inspector, in virtue of his office, may search for specific articles alleged to have been stolen in the houses and places specified; Provided always, that a list of the articles stolen or missing be delivered and taken down in writing, with a declaration stating that the robbery has been committed, and that the informant has good ground to believe that the property is deposited in such house or place; and provided further that the person who lost the goods, or his representative, accompany the officer in the search.

Power to search houses for stolen property without a warrant in certain cases.

VII. All persons charged with the commission of any of the offences specified in Acts XXI. of 1839 and III. of 1842, may be tried by any Justice of the Peace for the said Town, provided the value of the property which the prisoner is charged with having stolen does not, according to the belief of such Justice, exceed fifty rupees, anything in the said Acts to the contrary notwithstanding; and all the powers by Act XXI. of 1839 (except Section VIII. aforesaid) and Act III. of 1842, given or reserved to any such Justice for the trial, conviction, and sentence of parties charged with having stolen property not exceeding twenty rupees in value, and all the provisions of the said Acts (except as aforesaid) shall extend and be applicable to the trial, conviction, and sentence of parties charged with having stolen property, not exceeding, according to the belief of the Justice, fifty rupees in value.

Extension of Acts XXI. of 1839 and III. of 1842, to cases in which property stolen does not exceed 50 rupees in value.

VIII. Every person charged with the offence of feloniously receiving goods or money,

Extension of Acts XXI. of 1839, and III. of 1842, to the offence of receiving stolen property when the value of the property does not exceed fifty rupees.

knowing the same to be stolen, may be tried by any Justice of the Peace, provided that the value of the property stolen or received does not, according to the belief of the Justice, exceed fifty rupees, and every such person, on conviction of any such offence, shall be liable, at the discretion of the Justice, to be imprisoned, with or without hard labour, for any term not exceeding six Calendar months; and all the powers and provisions of Act III. of 1842, and Act XXI. of 1839, except Section VIII. aforesaid, shall apply, so far as they may be applicable, to the trial, conviction, and sentence of any person charged under this Section with the offence of feloniously receiving goods or money, knowing the same to be stolen; Provided always, that if it shall appear to the said Justice that such person has been previously convicted of, or is in the habit of receiving, stolen goods, knowing the same to be stolen, the said Justice shall commit such person for trial before the Supreme Court of Judicature.

IX. Every person who is accessory, before or after the fact, to any felony which is punishable on summary conviction before any Justice, is liable to be tried and convicted summarily before such Justice on his own confession, or the oath of one or more credible witnesses, and the convicting Justice shall have power to sentence any such accessory to imprisonment, with or without hard labour, for any time not exceeding six Calendar months, or, in his or their discretion, instead of trying him, to commit him for trial to the Supreme Court of Judicature, or other Court having authority to try him.

Summary conviction of persons accessory to the commission of certain felonies.

the fact, to any felony which is punishable on summary conviction before any Justice, is liable to be tried and convicted summarily before such Justice

on his own confession, or the oath of one or more credible witnesses, and the convicting Justice shall have power to sentence any such accessory to imprisonment, with or without hard labour, for any time not exceeding six Calendar months, or, in his or their discretion, instead of trying him, to commit him for trial to the Supreme Court of Judicature, or other Court having authority to try him.

X. Whenever any boy, under the age of sixteen years, is convicted before a Justice of the Peace, either of simple larceny under the said

Act XXI. of 1839, or, under this Act, of feloniously receiving goods or money, knowing the same to be stolen, or of being an accessory to any felony which is punishable on summary conviction before any Justice, the said Justice, if he thinks fit, may sentence him to receive corporal punishment not exceeding fifteen stripes of a light rattan, instead of sentencing him to imprisonment.

XI. Any person who shall commit any assault, forcible entry, or other injury, accompanied with force, not being felony, within the said

Cases of assault, forcible entry, or other injury, not being felony.

Town, against the person or property of any person whatsoever, shall be liable, on conviction thereof before a Justice of the Peace, to a fine not exceeding one hundred rupees, and the said Justice may award the whole or any part of such fine to the party or parties aggrieved, by way of satisfaction for such injury, or, in the discretion of such Justice, such person shall be imprisoned, with or without hard labour, for any time not exceeding four Calendar months.

property of any person whatsoever, shall be liable, on conviction thereof before a Justice of the Peace, to a fine not exceeding one hundred rupees, and the said Justice may award the whole or any part of such fine to the party or parties aggrieved, by way of satisfaction for such injury, or, in the discretion of such Justice, such person shall be imprisoned, with or without hard labour, for any time not exceeding four Calendar months.

XII. Any Deputy Superintendent or Inspector of Police may take into custody or authorize a Constable to take into custody, without warrant, any person who within the said Town shall be charged by any other person with committing an aggravated assault, in every case in which such Deputy Superintendent or Inspector of Police shall have good reason to believe that such assault has been committed, although not within view of such Deputy Superintendent or Inspector, and, that by reason of the recent commission

Persons charged with recent assault may be apprehended by Police without warrant, though assault not committed in view of Police.

or authorize a Constable to take into custody, without warrant, any person who within the said Town shall be charged by any other person with committing an aggravated assault, in every case in which such Deputy Superintendent or Inspector of Police shall have good reason to believe that such assault has been committed, although not within view of such Deputy Superintendent or Inspector, and, that by reason of the recent commission

of the offence, a warrant could not have been obtained for the appearance of the offender.

XIII. If complaint shall be made before any Justice that any person within the said Town has unlawfully taken, or caused to be taken away, against her will, any woman, or has unlawfully taken or caused to be taken or enticed away any female child under the age of sixteen years, out of the possession or protection, and against the will of the husband, father, mother, guardian, or other person who has the lawful order, keeping, education, or government of such child, for the purpose of living in adultery with such woman or child, or for purposes of prostitution, or of deflowering or disposing of her in marriage, it shall be lawful for the said Justice to make an order for the immediate restoration of such woman to her liberty, or of such female child to her husband, father, mother, guardian, or such other person as aforesaid, as the case may be, and to compel compliance with such order, and, if it be necessary to use force for that purpose, any Deputy Superintendent or Inspector of Police, duly authorised by the Justice in that behalf, with such assistants as he may deem necessary, may break open doors, or otherwise compel compliance with the same, and the said Justice may commit any person charged with taking, or causing to be taken, or enticing any woman or female child as aforesaid, for any of the purposes aforesaid, for trial before the Supreme Court of Judicature.

Unlawfully taking or enticing away married women, or female children under the age of sixteen.

the said Town has unlawfully taken, or caused to be taken away, against her will, any woman, or has unlawfully taken or caused to be taken or enticed away any female child under the age of sixteen years, out of the possession or protection, and against the will of the husband, father, mother, guardian, or other person who has the lawful order, keeping, education, or government of such child, for the purpose of living in adultery with such woman or child, or for purposes of prostitution, or of deflowering or disposing of her in marriage, it shall be lawful for the said Justice to make an order for the immediate restoration of such woman to her liberty, or of such female child to her husband, father, mother, guardian, or such other person as aforesaid, as the case may be, and to compel compliance with such order, and, if it be necessary to use force for that purpose, any Deputy Superintendent or Inspector of Police, duly authorised by the Justice in that behalf, with such assistants as he may deem necessary, may break open doors, or otherwise compel compliance with the same, and the said Justice may commit any person charged with taking, or causing to be taken, or enticing any woman or female child as aforesaid, for any of the purposes aforesaid, for trial before the Supreme Court of Judicature.

XIV. Any person who shall have or keep any house, shop, room, or place of public resort and entertainment, within the said Town, wherein provisions, liquors, or refreshments of any kind shall be sold or consumed, (whether the same shall be kept or retailed therein, or procured elsewhere,) without a licence for the same being first had and obtained from and under the hand of two Justices of the Peace, shall be liable, on conviction thereof before any of the said Justices, to a penalty not exceeding one hundred rupees for every day that such unlicensed house or place of public resort or entertainment is kept open.

Keeping open houses of public entertainment without licence.

house, shop, room, or place of public resort and entertainment, within the said Town, wherein provisions, liquors, or refreshments of any kind shall be sold or consumed, (whether the same shall be kept or retailed therein, or procured elsewhere,) without a licence for the same being first had and obtained from and under the hand of two Justices of the Peace, shall be liable, on conviction thereof before any of the said Justices, to a penalty not exceeding one hundred rupees for every day that such unlicensed house or place of public resort or entertainment is kept open.

XV. Two or more of the said Justices shall from time to time hold licensing Sessions, for the purpose of granting licences to the keepers of such houses or places of public resort and entertainment as aforesaid, and the said licences may be granted by the said Justices for any term not exceeding one year, subject to the restriction contained in Section XII. Act. XI. of 1849, and upon such conditions, to be inserted in every such licence, as the Justices from time to time shall order, for securing the good behaviour of the keepers of the said houses or places of public resort or entertainment, and the prevention of drunkenness and disorder among the persons frequenting or using the same.

Two Justices to grant licences.

from time to time hold licensing Sessions, for the purpose of granting licences to the keepers of such houses or places of public resort and entertainment as aforesaid, and the said licences may be granted by the said Justices for any term not exceeding one year, subject to the restriction contained in Section XII. Act. XI. of 1849, and upon such conditions, to be inserted in every such licence, as the Justices from time to time shall order, for securing the good behaviour of the keepers of the said houses or places of public resort or entertainment, and the prevention of drunkenness and disorder among the persons frequenting or using the same.

XVI. The keeper of every such house or place of public resort and entertainment, who shall wilfully offend against any condition of his licence, shall be liable, on conviction before a Justice of the Peace, to a penalty not exceeding one hundred rupees for every such offence, and in the discretion of the convicting Justice, to forfeit his licence, in addition to any other penalty or punishment that shall be imposed on him.

Penalty for parties not conforming to the tenor of their licence.

of every such house or place of public resort and entertainment, who shall wilfully offend against any condition of his licence, shall be liable, on conviction before a Justice of the Peace, to a penalty not exceeding one hundred rupees for every such offence, and in the discretion of the convicting Justice, to forfeit his licence, in addition to any other penalty or punishment that shall be imposed on him.

XVII. Every person who shall have or keep any house, shop, room, or place of public resort or entertainment within the said Town, wherein provisions, liquors, or refreshments of any kind shall be sold or consumed,

Disorderly conduct and illegal harbouring of deserters in houses of public entertainment.

house, shop, room, or place of public resort or entertainment within the said Town, wherein provisions, liquors, or refreshments of any kind shall be sold or consumed,

ed, (whether the same shall be kept or retailed therein, or procured elsewhere,) and who shall knowingly or wilfully permit drunkenness or other disorderly behaviour in such house, shop, room, or place, or who shall knowingly suffer any unlawful games, or any gaming whatsoever therein, or who shall knowingly permit prostitutes or persons of notoriously bad character to meet or remain therein, or who shall wilfully harbour or conceal any Seaman or Apprentice who shall have deserted, knowing or having reason to believe such Seaman or Apprentice so harboured or concealed to be a deserter, shall be liable to a penalty not exceeding one hundred rupees, and shall be liable to forfeiture of his licence, in addition to any other penalty or punishment that shall be imposed on him.

**XVIII.** Every person who shall keep open his house, shop, room, or place, for the purpose of selling or retailing spirituous or fermented liquors or intoxicating drugs under a licence from the Collector of Calcutta, after the hour of nine at night, and before the hour of six in the morning, shall be liable, on conviction before a Justice of the Peace, to a penalty not exceeding twenty-five rupees, and shall also be liable, in the discretion of the said Justice, to the forfeiture of his licence.

**XIX.** If any person, not being amenable to the Articles of War, shall take, or attempt to take into Fort William any quantity of spirituous liquors, wine, or intoxicating drugs of any description, without a licence from the Commanding Officer of the said Fort, or from some other person thereunto authorized, any Justice of the Peace, upon complaint to him thereof made, may issue his summons or warrant for bringing the party complained of, and also the liquors, wine, or drugs, and the vessels containing the same, before him, and in case of conviction may adjudge the said liquors, wine, or drugs, and the vessels containing the same, to be forfeited, and every such person so convicted shall be liable, on conviction before a Justice of the Peace, to a penalty not exceeding fifty rupees, or, at the discretion of the said Justice, to imprisonment, with or without hard labour, for any period not exceeding two Calendar months.

**XX.** Every person who shall take or throw, or attempt to take or throw, into the Great Gaol, or House of Correction of Calcutta, any quantity of spirituous liquors, wine, or intoxicating drugs, without the licence or consent of the Jailor or Keeper of such Gaol or House of Correction respectively, shall be liable for every such offence, on conviction before a Justice of the Peace, to a penalty not exceeding fifty rupees, or, at the discretion of the said Justice, to imprisonment, with or without hard labour, for any period not exceeding two months.

**XXI.** Every person who shall have been committed to the Great Gaol or House of Correction, or who shall be in custody at any Police Office or Station, and who shall unlawfully break or escape from such Gaol, House of Correction, Police Office, or Station, shall be liable for every such offence, on conviction before a Justice of the Peace, to imprisonment, with or without hard labour, for any period not exceeding three months, and such imprisonment shall commence and take effect from and after the expiration of any other sentence of imprisonment under which such person may be imprisoned at the time of committing the offence aforesaid.

**XXII.** Every person who shall be found drunk and incapable of taking care of himself in any street or public thoroughfare, or who shall be guilty of any riotous or indecent behaviour.

decent behaviour in any street, public thoroughfare, Police Office, Station, or Section House, shall be liable, on conviction before a Justice of the Peace, to a penalty not exceeding twenty rupees for every such offence, or, at the discretion of the said Justice, to imprisonment, with or without hard labour, for any period not exceeding fourteen days.

**XXIII.** Any Constable or Peace Officer belonging to the Calcutta Police Rogues and vagabonds. may take into custody, without a warrant, any person who shall be found between sunset and sunrise armed with any dangerous or offensive instrument whatsoever, with intent to break or enter into any dwelling house or other building whatsoever, or any loose, idle, or disorderly persons whom he shall find disturbing the public peace, or whom he shall have good cause to suspect of having committed, or being about to commit, any felony, misdemeanor, or breach of the peace, or any reputed thief whom he shall find between sunset and sunrise on board any boat in the river, or lying or loitering in any bazar, street, road, yard, thoroughfare, or other place, and not giving a satisfactory account of himself, or any person having in his possession without lawful excuse (the proof of which excuse shall lie on such person), any picklock key, crow, jack, bit, or other implement of house-breaking, or any person found between sunset and sunrise, having his face blackened or otherwise disguised, with intent to commit any felony, or any person who shall be found between sunset and sunrise in any dwelling-house or other building whatsoever, with intent to commit any felony therein; and every such offender, on conviction before a Justice, either on his own confession or on the evidence of one or more credible witnesses, shall be liable, at the discretion of the said Justice, to be imprisoned, with or without hard labour, for any term not exceeding four Calendar months.

**XXIV.** Every person who shall beg or apply for alms or relief in any public road, street, or thoroughfare, or who shall expose or exhibit any sores, wounds, bodily ailment or deformity in such roads, streets, or public thoroughfares, with the object of exciting charity, or of obtaining alms or relief, or who shall, anywhere within the Town, seek for or obtain alms or relief by means of any false statements or pretences, or who shall cause, aid, or abet any such person as aforesaid in the commission of any of the said offences, shall, for every such offence, on conviction before a Justice, be liable to imprisonment, with or without hard labour, for any period not exceeding two Calendar months.

**XXV.** Every person who shall drive or ride furiously, or at a greater rate than ten miles an hour, any vehicle or animal in the said streets or public thoroughfares, shall, for every such offence, on conviction thereof before a Justice, be liable to a penalty not exceeding fifty rupees, or in default of payment thereof to imprisonment for any period not exceeding one Calendar month.

**XXVI.** Every person who shall drive any vehicle of any description at any time between one hour after sunset and one hour before sunrise, without having a lighted lamp affixed to such vehicle, shall, for every such offence, on conviction thereof before a Justice, be liable to a penalty of not more than fifty rupees, or, in default of payment thereof, to imprisonment for any period not exceeding one Calendar month.

**XXVII.** If any person shall make oath before a Justice of the Peace that any house, building, room, or other place within the Town, is commonly reported and be-

For suppression of common gaming-houses.



lieved to be kept or used as a common gaming-house, or place, such Justice, by an order in writing, may authorize a Deputy Superintendent or Inspector of Police to enter any such house, building, room, or place, with such constables as he shall deem requisite to accompany him, and if necessary to use force for the purpose of effecting such entry, whether by breaking open doors or otherwise, and to take into custody and search all persons found therein, and to seize all tables and instruments of gaming found in such house, building, room, or place, or on the persons of any of those found therein, and also to seize all moneys, and securities for money, found in any such house, building, room, or place, and the owner or keeper of the said gaming-house, or place, or other person having the care and management thereof, shall be liable, on conviction before a Justice of the Peace, to a penalty not exceeding one hundred rupees, or, at the discretion of the said Justice, to imprisonment, with or without hard labour, for any time not exceeding three Calendar months, and upon conviction of any such offender all such tables and instruments of unlawful games shall be destroyed, or otherwise disposed of by order of the Justice before whom the conviction is had, and all the moneys and securities for moneys so found shall be forfeited to Government, and every person found on such premises, and who shall not be the owner or keeper, or other person having the care or management thereof, shall be liable, on conviction before a Justice of the Peace, to a penalty not exceeding fifty rupees.

XXVIII. It shall not be necessary, in support of any information for gaming in, or for suffering any games or gaming in, or for keeping or managing, or being concerned in the management or conduct of, any common gaming-house or place, under this Act, to prove that any person found playing at any game was playing for any money, wager, or stake.

XXIX. Where any cards, dice, balls, counters, tables, or other instruments of gaming, used in playing any unlawful game, are found in any house, building, room, or place, suspected to be used as a common gaming-house or place, and entered by an order issued under this Act, or about the person of any who are found therein, it shall be evidence, until the contrary is made to appear, that such house, building, room, or place, is used as a common gaming-house, or place, and that the persons found in the house, building, room, or place, where such tables or instruments of gaming shall have been found, were playing therein, although no play was actually going on in the presence of the Superintendent, Deputy Superintendent, Inspector, or Constable, entering the same as aforesaid.

XXX. Every person who shall game for money, or any other thing or reward whatsoever, or who shall join in, bet at, or abet, or be present for the purpose of joining, betting at, or abetting, any such gaming, in any street or public thoroughfare in the said Town, shall be liable, on conviction thereof before a Justice, to a penalty not exceeding fifty rupees, or, in default of payment, to imprisonment for any term not exceeding one Calendar month.

XXXI. All persons who deal in any articles by retail, by weight or measure, and who have in or about their shops or premises, or otherwise in their possession, any false or deficient weight, measure, beam, or scale, shall be liable, on conviction before a Justice of the Peace, to a penalty not exceeding twenty rupees, or, at the discretion of the said Justice, to imprisonment, with or without hard labour, for any period not exceeding one Calendar month; and every such false and defective

weight, measure, beam, or scale, shall be forfeited, and the said Justice shall cause the same to be destroyed; and it shall be lawful for the Chief Magistrate or Superintendent of Police from time to time to issue public notices at the Police Office and Thannas, and such places as to him appear suitable, of the exact weight and measure of just weights and measures, and to keep at the Police Office and Thannas standard weights and measures for the information of the public.

XXXII. Any Justice of the Peace, or the Superintendent of Police, may issue his warrant, directing any Deputy Superintendent or Inspector of Police to enter into any shop, or other place where articles are bought and sold by retail, and to search for and to examine the weights and measures therein, and to seize all such as he may suspect to be forfeited as false and deficient in weight.

XXXIII. If any seaman, whether British or Foreign, shall, wilfully and without leave or lawful excuse, absent himself from his vessel, any Justice of the Peace, upon complaint upon oath, and at the instance of any of the officers of the said vessel, may issue his warrant to apprehend and detain the said seaman, and convey him on board of his vessel; and whenever any seaman shall have been imprisoned, it shall be lawful for any Justice of the Peace, on the release of such seaman from imprisonment, to cause him to be conveyed on board of the vessel to which he may belong.

XXXIV. No person, not being a soldier or sailor in the service of the Queen or the East India Company, or a Constable belonging to the Calcutta Police, shall be entitled to carry any sword, spear, gun, or other offensive weapon, in any street, thoroughfare, or public place, unless by leave of the Chief Magistrate, or other head of the Police; and any person offending against this enactment shall be liable to be disarmed by any Constable, or other person acting under such instructions as shall be from time to time given by the Chief Magistrate or other head of the Police; and the weapons so seized shall be taken before the Chief Magistrate or other head of the Police, and forfeited to the Government, if the Chief Magistrate or other head of the Police, in his discretion, shall think fit to declare them forfeited.

XXXV. The Chief Magistrate, or other head of the Police from time to time, and as occasion may require, may make regulations for keeping clear the public ghauts and landing stairs, and for the route to be observed in the public streets and places by all carts, carriages, palanquins, hackeries, and other vehicles, and by all horses, cattle, and persons, and as to the times during which they may take the said routes, and for preventing obstruction of the streets and thoroughfares within the Town on all times of public processions and native holidays, as also during the time of Divine Service, and also may give directions to the Constables and other peace officers, for keeping order, and for preventing any obstruction of the thoroughfares in the immediate neighbourhood of any place of public resort, and in any case when the ghauts, landing-stairs, streets, or thoroughfares may be thronged, or may be liable to be obstructed, and every person opposing, or not obeying the orders so issued by the Chief Magistrate, or other head of the Police, shall be liable to be arrested and detained by the Police, and, on conviction before a Justice of the Peace, shall be liable to a penalty of one hundred rupees.

**XXXVI. Any Police Officer or Constable who shall**

*Police Officers taking Bribes.*

ask for or take any bribe or unauthorized reward in consideration of his doing, or omitting to do, any act in his official capacity, shall be liable, on conviction before a Justice of the Peace, to a penalty not exceeding five hundred rupees, or, at the discretion of the said Justice, to imprisonment, with or without hard labour, for any time not exceeding three months.

**XXXVII. The Rule, Ordinance, and Regulation**

*As to manufacture or possession of Gun-powder or Gun-cotton.*

passed by the Governor General in Council on the 8th April 1802, and Section II. Act XVIII. of 1841, are hereby repealed. Any person who shall, within the limits of the said Town, manufacture gun-powder or gun-cotton, or who shall, without a licence for that purpose being first had and obtained from the Chief Magistrate, have in his possession in any house, shop, warehouse, or other building, at any one time, a greater quantity of gun-powder or gun-cotton for sale or otherwise than ten pounds, shall, on conviction before a Justice of the Peace, be liable to a forfeiture of all such gun-powder or gun-cotton so manufactured or possessed, together with the vessel or receptacle in which it may be seized, and also to a fine not exceeding in amount the sum of rupees five hundred.

**XXXVIII. It shall be lawful for the Chief Magistrate**

*Chief Magistrate to grant licences for sale and deposit of gun-powder, &c.*

to grant to any person (whom he shall deem fit and proper) a licence for the sale or keeping in deposit, within the limits of the said Town, any quantity of imported or Indian manufactured gun-powder not exceeding fifty pounds, or any quantity of gun-cotton not exceeding twenty pounds, on such conditions as shall be specified in the licence, and any person who shall be guilty of a breach of any such conditions, shall, on conviction before a Justice of the Peace, be liable to a forfeiture of his licence, and of all gun-powder or gun-cotton so kept in deposit contrary thereto, and also to a fine not exceeding rupees two hundred.

**XXXIX. Every such licence as is mentioned in**

*Licences to be in force for one year, and to contain certain provisions.*

the preceding Section shall be in force for a period of one year only and no longer, but shall be renewable by the said Chief Magistrate at his discretion, on the same or any other terms and conditions; and such licence shall also provide for the transit and carrying of gun-powder from one place to another within the limits of the said Town, in such manner and in such quantity as shall be deemed advisable for the safety of the inhabitants and of property within the said Town, and every person offending against such provisions shall be liable to a fine not exceeding rupees fifty.

**XL. Any Justice of the Peace, on credible information**

*As to search for Gun-powder, &c.*

laid before him on oath or solemn affirmation, that gun-powder or gun-cotton, or mixed materials for making the same, contrary to the provisions of this Act, are suspected to be stored, kept, or possessed by any person, may issue his warrant authorizing any Police Officer to search in the day-time any house, shop, magazine, or other building or place in which he has reasonable ground to suspect any gun-powder or gun-cotton to be manufactured, sold, or kept, or any boat, carriage, cart, or other vehicle in which any gun-powder or gun-cotton, or materials for manufacturing the same, may be suspected to be carried, or any person suspected of carrying the same contrary to such licence, or to the provisions of this Act, and all gun-powder, gun-cotton, or materials for manufacturing the same, found on such search shall, together with the vessels or re-

ceptacles in which they may be stored, be immediately seized and brought before a Justice of the Peace, with whom the same shall be kept till it shall be adjudged whether the same shall be forfeited.

**XLI. The four last preceding Sections shall not extend**

*Act not applicable to Government Powder, &c.*

to any Government magazine or store, or building for the making or deposit of gun-powder or gun-cotton under the authority or for the use of the Government, or to any gun-powder or gun-cotton for the use of Her Majesty's or the East India Company's Troops, or otherwise for the service of Government, or to any of Her Majesty's Vessels of War, or the Vessels of the Indian Navy, or of the East India Company's Marine, or to any other vessel within the River Hooghly laden with gun-powder for importation or exportation.

**XLII. Commanders of merchant vessels entering**

*As to Vessels arriving in River with Powder on board.*

the River Hooghly shall, on or before the arrival of their vessels off Moypore, deposit in the Magazine at that place all gun-powder intended for the ship's use from on board their respective vessels, exceeding the quantity of fifty pounds, which quantity they shall be permitted to retain in their vessels for the purpose of firing salutes or signals in case of distress, and the gun-powder so deposited shall be again delivered on board on the return of the respective vessels from Calcutta in prosecution of the outward voyage; and Commanders of merchant vessels in the River Hooghly having on board their vessels gun-powder or gun-cotton for importation (not being gun-powder belonging to the Government) exceeding the quantity of fifty pounds, shall also deposit the same, on or before the arrival of their vessels off Moypore, in the Magazine of that place, under charge of an Officer belonging to the Customs at that place, or such other person as the Governor of Bengal may appoint, and the proprietors or consignees of such gun-powder or gun-cotton, or their agents, whenever they shall desire to remove the same from the Magazine, shall make application to the Collector of Sea Customs for authority to do so, which application, when it be intended that such gun-powder or gun-cotton shall be lodged in any place, or be laden in any boat or other conveyance within the limits of the said town, shall be accompanied by a written order of permission, signed by a Justice of the Peace to that effect, and when it be intended that such gun-powder or gun-cotton shall be exported by sea, the Commanders of vessels, or the proprietors, or their agents, by whom it shall have been deposited in the Magazine, shall make application to the Collector of Sea Customs for permission so to export it; and the Collector of Sea Customs shall comply with such applications aforesaid, except where the exportation of ammunition shall require, under provisions of Act XVIII. of 1841, a licence from a public Officer other than the Collector of Sea Customs, in which case the Collector of Sea Customs shall not comply with the application unless it be accompanied by the licence of such public Officer; and on or before the removal of all gun-powder or gun-cotton from the Magazine, the Collector of Sea Customs shall, and he is hereby authorized to levy a fee, the rate of which shall not exceed two annas per pound, for all gun-powder or gun-cotton that has been lodged therein, which fee shall be taken to cover all charges for the safe custody of the gun-powder or gun-cotton during the period it has remained or shall remain in the Magazine; Provided also, that the Governor of Bengal shall be at liberty to authorize such arrangement to be made, by letting or otherwise contracting for the custody of the Magazine, and for the collection and appropriation of the fees which may be charged for gun-powder or gun-cotton stored therein, as he may think proper, subject however to all the restric-

tions and rules imposed by this Section in respect to the removal from the Magazine of gunpowder therein stored.

XLIII. For every act done or omitted to be done contrary to the provisions of the last preceding Section by the Commander of any merchant vessel in the port of Calcutta, the Commander aforesaid shall, on conviction thereof before any Justice of the Peace, be liable to a penalty of two hundred rupees; and the Collector of Sea Customs is hereby empowered to search for any quantity of gunpowder which he may have reason to believe to be on board a merchant vessel in the port of Calcutta, contrary to the provisions of this Act, and to seize and detain it as forfeited to Government, to be dealt with as the Governor of Bengal shall think right to direct.

XLIV. The jurisdiction of the Justices of the Peace acting within and for the said Town shall extend to all offences committed by any person in sea-going vessels in any part of the River Hooghly, and the said Justices shall have the same power and jurisdiction in respect of criminal offences committed in sea-going vessels in any part of the said River, that they now have and exercise within the said Town.

XLV. Every Officer belonging to the Calcutta Police is hereby authorized to arrest with a warrant any person committing in his view any offence against this Act, and every person taken into custody without warrant by any Constable belonging to the Calcutta Police shall be forthwith taken to the Station-house to which the Constable belongs, in order that such person may be detained, until he can be brought before a Justice of the Peace to be dealt with according to law, or in order that such person may give bail for his appearance before a Justice of the Peace, if the Superintendent, Deputy Superintendent, or Inspector at the Station shall deem it prudent to take bail in the manner herein-after mentioned, which he is hereby authorized to do.

XLVI. Whenever any person is brought to the Station-house as aforesaid, charged with misdemeanor, assault, or with having carelessly done any hurt or damage, or whenever any Superintendent, Deputy Superintendent, or Inspector of Police, or Town Sergeant in charge of a Police Lock-up, shall deem it probable that any person so brought is falsely or maliciously charged with having committed a felony, and any such person as aforesaid shall be, without the warrant of a Magistrate, in the custody of any Constable of the Calcutta Police, it shall be lawful for the Superintendent, or any Deputy Superintendent of Police, if he shall deem it prudent, to enlarge such person on his own recognizance, with or without sureties, conditioned as hereinafter mentioned.

XLVII. Every recognizance so taken shall be without fee or reward, and shall be conditioned for the appearance of the person thereby bound before a Justice of the Peace at his next sitting, and the time and place of appearance, and the sum thereby acknowledged (not exceeding one thousand rupees,) shall be specified in the said recognizance, or the condition thereof; and the officer taking the recognizance shall enter into a book, to be kept for the purpose, the name, residence, and occupation of the party, and his surety or sureties (if any) entering into such recognizance, together with the condition thereof, and the sum thereby acknowledged, and shall return every such recognizance to the Justice present at the

time and place, and when, and where the party is bound to appear, and the said recognizance may be in either of the forms as the case may be, in Schedule (A) to this Act annexed, or to the like effect.

XLVIII. In every case in which any person shall be given in charge to a Constable, or in which any information or complaint of any offence shall be laid or made before any Justice of the Peace, and it shall appear to the Justice by whom the case shall be heard that there was no sufficient ground for making the charge, it shall be lawful for such Justice, at his discretion, to award such amends, not more than the sum of fifty rupees, to be paid by the informer to the party informed or complained against, for his loss of time and expenses in the matter, as to the Justice shall seem meet.

XLIX. Every Justice of the Peace shall be empowered summarily to hear and determine every complaint of an offence committed against this Act, and to convict any person charged with any such offence on the oath of one or more witnesses, or by his own confession, and to award the penalty or punishment herein provided for such offence.

L. Upon any information or complaint to be laid or made before any Justice of the Peace (which complaint need not be made upon oath) of any matter which such Justice is authorized to hear and determine, either under this or any other Act or Regulation, he may summon the party charged, and if such party shall not appear according to the tenor of the summons, the Justice, upon proof of the service of the summons, may proceed, in all cases which are not of a criminal nature, if no sufficient cause shall be shown for the non-appearance of the party, to hear and determine the case in the absence of the party, and in all criminal cases shall issue his warrant for apprehending and bringing such party before him, or some other Justice, in order that the said information and complaint may be heard and determined.

LI. Every such summons may be served by delivering it, or a copy thereof, to the party, or to his wife, servant, or some inmate of his dwelling, or by delivering it at, or affixing it to the door or wall of his usual place of abode.

LII. A Justice of the Peace may, without issuing any summons, forthwith issue his warrant for the apprehension of any person charged with any offence cognizable before him, either under this or any other Act or Regulation, whenever good grounds for so doing shall be stated on oath before him.

LIII. Any Justice may summon any witness to appear and give evidence upon the matter of any offence cognizable before him, either under this or any other Act or Regulation, with which any person shall be charged before him, at a time and place appointed for hearing the information or complaint, and, by warrant under his hand and seal, may require any person to be brought before him who shall neglect or refuse to give evidence at the time and place appointed on such summons, proof upon oath being first given of personal service of the summons upon the person against whom such warrant shall be granted, and such Justice may commit any person coming or brought before him who shall refuse to give evidence, to the Common Gaol of Calcutta, for any

time not exceeding fourteen days, or until such person shall sooner submit himself to be examined, and in case of such submission the order of such Justice shall be a sufficient warrant for the discharge of such person.

LIV. When any Justice of the Peace is desirous of examining any prisoner confined in the Great Gaol or House of Correction as a witness or defendant, with respect to any charge, case, or proceeding pending before him, it shall be lawful for such Justice to issue an order in the form contained in Schedule (B) to this Act annexed, or to the like effect, addressed to the Keeper or Governor of the said Gaol or House of Correction, requiring him to bring such prisoner, in proper custody, at a time to be therein named, to the Police Office, for examination, and the Keeper or Governor of the said Gaol or House of Correction, on the receipt of such order, shall act in accordance therewith, and shall take care for the safe custody of the prisoner during his absence from prison for the purpose aforesaid.

LV. All penalties and forfeitures, and other sums of money imposed, awarded, or ordered to be paid by any Justice of the Peace under the authority of this Act, and all sums of money which any person is bound to pay under any recognizance taken before a Justice of the Peace, or an Officer of Police empowered to take recognizances by this Act, and afterwards forfeited, in case of non-payment thereof, may be levied by distress and sale of the goods and chattels of the offender or person liable to pay the same, by warrant under the hand of any Justice of the Peace, and in case any such penalty or forfeiture, or sum of money, shall not be forthwith paid, any Justice may order the party to be detained in safe custody until the return can be conveniently made to such warrant of distress, unless such party shall give security to the satisfaction of such Justice for his appearance at such place and time as shall be appointed for the return of the warrant of distress, and the Justice may take such security by way of recognizance or otherwise; and if upon the return of such warrant it shall appear that no such sufficient distress could be had whereon to levy the said penalty, or forfeiture, or sum of money, and the same shall not be forthwith paid, or in case it shall appear to the satisfaction of the Justice, by the confession of the party or otherwise, that he has not sufficient goods and chattels whereupon such penalty, forfeiture, or sum of money could be levied if warrant of distress should be issued, the Justice, by warrant under his hand, may commit such party to the Common Gaol of Calcutta, there to remain for any time not exceeding two Calendar months.

LVI. No conviction, order, or judgment of any Justice of the Peace shall be quashed on merits only. Form of Conviction, &c. Convictions to be quashed on merits only. Form of Conviction, &c. Justice of the Peace shall be quashed for error of form or procedure, but only on the merits; and it shall not be necessary to state on the face of the conviction, order, or judgment, the evidence on which it proceeds; but the depositions taken, or a copy of them, shall be returned with the conviction, order, or judgment, in obedience to any writ of *certiorari*, and if no jurisdiction appears on the face of the conviction, order, or judgment, but the depositions taken supply that defect, the conviction, order, or judgment shall be aided by what so appears in such depositions.

LVII. In the construction of this Act the following words and expressions shall have the several meanings hereby assigned to them, unless there be something in the context or subject repugnant to such construction; that is to say,

Words importing the singular number only shall in-

clude the plural, and words importing the plural number only shall include the singular.

Words importing the masculine gender only shall include females.

The word "Town" shall include the Town of Calcutta and Settlement of Fort William.

The word "Justice" or "Justices of the Peace" shall mean the Justices of the Peace for the time being acting within and for the said Town of Calcutta and Settlement of Fort William.

The word "Oath" shall mean any oath or solemn affirmation in lieu of an oath.

SCHEDULE A.

FORM 1.

Town of } Be it remembered that on the day of  
Calcutta. } in the year A. B., of and  
C. D., of and E. F., of and  
personally came before me, G. H., Superintendent of Police, and acknowledged themselves to owe to our Sovereign Lady the Queen; that is to say the said A. B. the sum of Rupees *Two Hundred*, and the said C. D. and E. F. each the sum of Rupees *One Hundred*, separately, and of good and lawful money of British India, to be made and levied of their Goods and Chattels, Lands and Tenements respectively, to the use of our said Lady the Queen, Her heirs and successors, if the said A. B. shall make default in the condition hereunder written.

Acknowledged before me,

G. H.,

Superintendent of Police.

The condition of the above written recognizance is such that if the said A. B. shall appear before J. P., Justice of the Peace, at 10 o'clock in the morning of the day of in the year at the Police Office in Calcutta, then the said recognizance to be void, or else to stand in full force and virtue.

FORM 2.

Town of } Be it remembered that on the day of  
Calcutta. } in the year A. B., of  
personally came before me, G. H., Superintendent of Police, and acknowledged himself to owe to our Sovereign Lady the Queen the sum of Rupees *Two Hundred*, of good and lawful money of British India, to be made and levied of his Goods and Chattels, Lands and Tenements, to the use of our said Lady the Queen, Her heirs and successors, if he, the said A. B., shall fail in the condition hereunder written.

Acknowledged before me,

G. H.,

Superintendent of Police.

The condition of the above written recognizance is such that if the said A. B. shall appear before the said J. P., Justice of the Peace, at 10 o'clock in the morning of the day of in the year at the Police Office in Calcutta, then the said recognizance to be void, or else to stand in full force and virtue.

Note.—The words and figures in Italics in this Schedule to be filled up as the case may be.

SCHEDULE B.

FORM OF ORDER.

To A. B., Keeper of the Great Gaol of Calcutta, or Governor of the House of Cor-

rection, as the case may be.

Bring before me, in safe custody, on the day of \_\_\_\_\_ in the year \_\_\_\_\_ C. D., a prisoner now in the (Great Gaol, or House of Correction, as the case may be.) in order that the said C. D. may be examined by me as a (witness or defendant) with respect to (here state the charge, case, or proceeding in respect of which the evidence of the prisoner is required.)

E. F.

Justice of the Peace.

FRED. JAS. HALLIDAY,  
Secy. to the Govt. of India.

## Notice

Is hereby given, that sealed tenders will be received at this office, on Thursday the 1st proximo, precisely at 2 o'clock P. M. (any delivered after that hour will be rejected,) from such persons as are desirous of entering into a contract for the supply of Spirits Rectified, or Spirits of Wine, country manufacture, to this department, or for such other purposes as may from time to time be required, for the term of one year from the date of the acceptance of the tender.

All persons desirous of tendering for the contract may, on application at this office, from 11 A. M. till 5 P. M. daily, (Sundays excepted,) obtain a list of the rates, and such other information relating thereto as they may require.

The tenders must specify, both in words and figures, the rates per cent. above or below the price in the list above adverted to at which they will undertake to furnish the article therein embraced, on the understanding that the article to be supplied under the contract is to be of unexceptionable quality, according to musters which may be seen in this office, and delivered to the indenting departments in good condition, free of all further expenses, in such quantity or quantities 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 party or parties whose tender may be accepted will be required to sign and seal a contract, stipulating to the above effect, and that he or they will comply immediately with all emergent demands for the article included in the above-mentioned list, and will meet other demands of less urgency within the periods stated in the requisitions made upon him or them; in failure whereof, or if the supply be condemned by a committee of officers, as aforesaid, the Spirits Rectified, or such other as may be required in lieu thereof, shall be purchased by this department, without reservation, at his or their risk and cost; and in all such cases an advance of Rupees (30) thirty per cent. upon the amount of expenses incurred, or a fine of Rupees (50) fifty, at the option of the executive officer, will be levied as liquidated damages for each and every such breach of contract, as often as the same may occur, also the contract may in all such cases be put an end to on the part of the East India Company.

No tenders for the contract in question will be received unless accompanied by a cash deposit of Rupees (68) sixty-eight, which will be forfeited in the event of delay, evasion, or refusal to execute the necessary deed of contract. Should any ten-

der be accepted, the tenderer must be prepared to give unexceptionable bonded security, to the extent of Rupees (272) two hundred and seventy-two, to be held by Government for the due fulfilment of his contract.

It is to be distinctly understood that bills for the quantities of the article included in the above-mentioned list supplied shall be preferred within or before the expiration of one month from the date of the delivery of the article, in default of which the contractor shall be liable to forfeit the full value or amount of the supplies for which bills have not been so preferred, unless it shall clearly appear that the delay was unavoidable.

The amount of retrenchments made by the Military Board from the contractor's bills will be recovered from the first bills presented for payment by the contractor, but in the event of such retrenchments, or any portion thereof, being remitted, the amount, or so much of the amount as shall be so remitted, will then be refunded to him.

The parties who, after tendering for the contract, fail to furnish the necessary security, will be interdicted from tendering on future occasions, unless they can produce a certificate from individuals of unexceptionable character, binding themselves to stand security for the due performance of the contract.

The annual outlay on the above contract is estimated at Rupees 1,362, or thereabouts.

All further particulars will be communicated on the receipt and opening of the tenders, and no reason will be assigned for the rejection of any tender.

E. WHICHELO, Major,  
Deputy Commissary General.

Bombay, Depy. Commy. Genl.'s Office,  
17th March 1852.

## Notice

Is hereby given, that sealed Tenders will be received by the Deputy Commissary General, for the conveyance to Calcutta and Madras of the following Military Stores:—

- 2 (Two) Barrels, containing Experimental Gunpowder, the Tonnage of which (calculated by measurement at 50 Feet per Ton) is about 5 Feet and 5.76 Inches, less or more, consigned to the Principal Commissary of Ordnance at Calcutta.
- 10 (Ten) Barrels, containing Gunpowder, the Tonnage of which is about 41 Feet and 4.32 Inches, less or more, consigned to the Principal Commissary of Ordnance at Calcutta.
- 10 (Ten) Barrels, containing Gunpowder, the Tonnage of which is about 41 Feet and 4.32 Inches, less or more, consigned to the Principal Commissary of Ordnance at Madras.
- 2 (Two) Boxes of Medicine, consigned to the Medical Storekeeper at Fort George, No. 1 weighing gross 93 lbs., and No. 2, 92 lbs.

Further particulars may be learnt on application at this Office, daily, from 10 A. M. to 5 P. M., Sundays excepted.

E. WHICHELO, Major,  
Deputy Commissary General.

Bombay, Depy. Commy. Genl.'s Office,  
9th March 1852.

**Notice**

Is hereby given, that (7) seven Pieces Persian Carpets, (14) fourteen Bales Hemp, (42) forty-two Barrels of Roman Cement, a quantity of Tobacco, Ganza, and Opium, and sundry other articles, will be sold by Public Auction, at the Town Custom House, on Friday and Saturday, the 2nd and 3rd April next, at 12 o'clock.

A deposit of 25 per cent. will be required, and other conditions made known at the time of sale.

A. D. ROBERTSON,

Deputy Collector of Customs, in Charge.

Bombay, Custom House,  
22nd March 1852.

अहुरनामि.

अहुरेवुन धरंणी गलीया ७ तथा शयु  
नी गांसडी १४ तथा रोमन गुदरना पी  
५ ४ तथा थोडा अक गांन्ना तथा अक्षीण त  
था परसुरंण नण्यथा आपता नहीनानी ता  
रीम र ७ युकरवार तथा तारीम ३ शंनी  
वारने हीने कंठनांनी नांडपीनां अहुरे ली  
लांन करीने वेयवानां आये \*  
दरमैकडे टका २५ परमांण्ये अवेन अंणां  
नत राभवो नांथे तथा पीअकरार वेयां  
णनी पपते मांन करवानां आये \*  
नीयांणी.

अ. डी. रीचर्डसन,

कश्टंनो डीपुटी कलेक्टर \*  
तारीम २२ मी माहें नार  
अ शंने १८५२ धरणी  
सुकान सुयथे नांडपी \*

A. RICHARDSON, Depy. Secy. to Govt.

**जाहिर नामा**

एसाजे हराणी मालीचे ७ व तागाचे गट्टे १४ व रोमन गों  
दाचीं पीथें ४२ व काचीं गांन्ना व अफीण व कोरकोळ जिनस  
येते मद्योन्नाची तारिख १ शुक्रवार व तारिख २ शनवारचे रो  
जी कोटांतोल मांडवी मध्ये जाहोर लेलाय करून विकले जा  
तील.

दरमैकडा टके २५ प्रमाणे एवज अमानत ठेवीला पाहीजे व  
दुसरे करार विकरीचे समद मालूम केले जातील.

निशाणी

ए. डी. रावटंसन

कडमचे डेपुटी कालेक्टर

तारिख २२ माचे मार्च सन १८५२ दसवी  
सुकाम सुबई मांडवी.

A. RICHARDSON, Depy. Secy. to Govt.

**Notice**

Is hereby given, that the Farm of the Bhere Ghaut Toll for the ensuing Official Year will be sold by Public Auction at the Office of the Collector of Tannah, on Saturday the 10th of April next.

The conditions of sale, and any other particulars, may be learnt on application at the Office of the Collector of Tannah.

H. P. MALET,  
Collector.

Tannah, Collector's Circuit Outcherry,  
Duhewlee, 18th March 1852.

**जाहिर नामा**

खबर दिव्ही जाते एसाजे दस्तुरी वारघाट येथील दस्तुरी  
चा मखता पुढील सालचा ठाणे येथील कलेक्टर साहेब यांचे  
कचेरीत शनवारी तारिख १० माचे एप्रिल सन १८५२ रोजी  
उघडे लेलावांत विकला जाईल मद्योन्ना समध्ये ठराव वगैरे दुसरा  
तपशील ठाणे येथील कलेक्टर साहेब यांचे हवीसात अर्ज केला  
स कळिलला जाईल जाणोजे. तारिख १८ माचे  
मार्च सन १८५२ दसवी सुकाम चौक तोा नहरापूर.

H. P. MALET,  
Collector.

**Notice.**

Verbal tenders will be received at this office, precisely at 2 o'clock p. m. on Monday next, the 5th proximo, for the supply of the undermentioned articles, and such others as may be called for during the intermediate period, viz:—

- 6 (Six) Gauges, Glass, Barometer, 32 ins. by 1/2 inch.
- 2 (Two) Do. do. da. 32 ins. by 3/4 inch.
- 6 (Six) Telescopes, Day, Ship's, (Europe).
- 20 (Twenty) Yards Cloth, Tracing, Vellum.
- 20 (Twenty) Crucibles, Staffordshire Clay, of sizes.
- 56 (Fifty-six) Pounds Borax.
- 15 (Fifteen) Sheets Paper, Drawing, Extra Antiquarian.
- 6 (Six) Pencils, Camel Hair, flat.
- 1 (One) Johnson's Pocket Dictionary.
- 1 (One) Copper-plate or Copy Slip, comprising Texts, large and small.
- 1 (One) Blackwood Table, 4 feet 6 inches in length, 2 feet 9 inches in breadth, and 2 feet 10 inches high, with a loose Slope, 3 feet by 2 feet.
- 62 (Sixty-two) Bamboos, large, for Routie Poles.

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.

Whenever offers from dealers are accepted for making supplies within a specific period, and the supplier fails to fulfil the agreement, the cash deposit made at the time of the sale will be forfeited to Government, and the articles resold; but when circumstances render it necessary to receive the articles, and the dealers supply them after the stipulated period, a deduction of five per cent. will be made from the amount of the bill for the same. All further particulars may be learnt on application at this office, from 10 a. m. till 5 o'clock p. m. daily, Sunday excepted.

No reason will be assigned for rejecting any offer.

E. WHICHELO, Major,  
Deputy Commissary General.

Bombay, Depy. Comy. Genl.'s Office,  
31st March 1852.

**Advertisement.**

Tenders are hereby invited for the conveyance of  
1 (One) European Convict, either to Calcutta, Madras, or direct to Van Dieman's Land, and of  
1 (One) Medical Subordinate of the Bengal Establishment, to Calcutta.

By Order of the Commander in Chief I. N.,

J. W. YOUNG,

Assistant Superintendent I. N.

Commodore's Office,  
Bombay, 31st March 1852.



**BOMBAY PRICE CURRENT**  
OF MEAT, POULTRY, FRUIT, BREAD, FLOUR, ROLONG, SAGO, BUTTER, MILK, FIREWOOD, OIL, CANDLES, SOAP,  
GHEE, SUGAR, GRAIN, &c. — QUOTED BY THE DEALERS.

ARTICLES.		PRICES.	ARTICLES.		PRICES.	ARTICLES.		PRICES.
<b>BEEF.</b>			<b>PORK, FRESH &amp; SALT (continued).</b>			<b>SUGAR OF SORTS.</b>		
Prime pieces..... 1st sort 10 lbs.	1	1	Trotters, small .....	per four.	1	Sugar, Pinfa..... per md. of 28 lbs.	6	
" .....	2nd do.	12	Piz's Liver & Heart .....	2	2	" Candy, 1st sort.....	4	8
" .....	3rd do.	16	Pork, salt, country .....	8 lbs	1	" .....	2nd do.....	4
Brisket and Round, .....	1st sort 12 "	1	<b>POULTRY.</b>			" .....	3rd do.....	4
" .....	2nd do. 14 "	1	Geese .....	each	4	" .....	soft, 1st do.....	4
" .....	3rd do. 16 "	1	Turkey cock, Bombay.....	4	2	" .....	2nd do.....	2
Meat for Soup .....	16 "	1	" .....	hen,	3	" .....	brown.....	2
Shin.....	large .....	3	" .....	cock, Goa.....	3	Jagree .....	"	1
" .....	small .....	2	" .....	hen,	1	<b>GHEE OF SORTS.</b>		
OX Tails .....	large .....	3	Fowls, large, Surat.....	1	8	Ghee, Kurraclie, per md. of 28 lbs.	5	
Tongue .....	large .....	3	" .....	small,	8	" .....	Surat.....	6
" .....	small .....	2	" .....	large, Bombay.....	6	" .....	Bhownuggur.....	5
Heart.....	large .....	3	" .....	small,	6	" .....	Balghanty.....	5
" .....	small .....	2	Ducks, large.....	8	6	" .....	Ghanty .....	5
Marrow-bone.....	"	1	" .....	small.....	6	" .....	Rajapoor.....	5
OX Palates .....	"	6	Chickens, large.....	per dozen.	2	" .....	Jafraabad.....	6
Feet .....	four.	4	" .....	small.....	12	<b>GRAIN OF SORTS.</b>		
Suet .....	per lb.	4	Hens' Eggs .....	each.	3	Wheat, Hausia.....	pr. Cdy. of	20
Tongues (salted, dry), Pooná, each.	4	4	Ducks' .....	3	3	" .....	8 pharas	18
" (pickled) Bombay .....	5	5	<b>FRUITS OF SORTS.</b>			" .....	1st sort .....	17
<b>VEAL, SMALL.</b>			Pine-apples, Bombay, large .....	each.	1	" .....	2nd do.....	16
Hind Quarter..... 1st sort 4 lbs.	1	1	" .....	small,	12	" .....	1st do.....	15
" .....	2nd do. 5 "	1	" .....	large,	2	" .....	2nd do.....	15
" .....	3rd do. 6 "	1	Pomeles.....	large,	12	Ghantea.....	"	15
Fore Quarter .....	1st do. 5 "	1	" .....	small,	8	Sindee.....	"	15
" .....	2nd do. 6 "	1	Guavas.....	large,	8	Gram, Jumbooseer.....	"	16
" .....	3rd do. 7 "	1	" .....	small,	6	" .....	Ghogaree, new.....	15
<b>VEAL, LARGE.</b>			Oranges .....	large,	8	" .....	old.....	14
Hind Quarter..... 1st sort 5 lbs.	1	1	" .....	small,	6	" .....	Ghantee, new.....	15
" .....	2nd do. 6 "	1	" .....	common.....	3	" .....	old.....	15
" .....	3rd do. 7 "	1	Grapes, black .....	per seer	4	" .....	Bengal .....	13
Fore Quarter .....	1st do. 6 "	1	" .....	green.....	1	Woorool, Ghantee .....	"	13
" .....	2nd do. 7 "	1	Melons, water, large.....	each.	3	" .....	Malabar.....	12
" .....	3rd do. 8 "	1	" .....	small.....	2	" .....	Cutch.....	13
Head .....	1st do. each.	10	" .....	Musk, large.....	3	" .....	Ghogaree.....	14
" .....	2nd do. "	8	" .....	small.....	2	Mutt .....	"	14
" .....	3rd do. "	6	Plantains, red, large.....	8	8	" .....	Ghantee.....	13
Feet.....	four.	3	" .....	small.....	6	" .....	Cutch.....	12
Liver & Heart.....	each	1	" .....	yellow, large.....	4	Mugg .....	"	17
<b>MUTTON FOR EUROPEANS.</b>			Limes, sweet .....	small.....	3	" .....	Ghogaree .....	14
Saddle.....	1st sort per lb.	3	" .....	sour.....	6	Bazaree, Ghantee .....	"	13
" .....	2nd do.....	2	Potatoes, Neigherries, large, per seer.	small	1	" .....	Bhownuggur, 1st sort	16
" .....	3rd do.....	1	" .....	"	0	" .....	2nd do.....	15
Leg, Loin, Neck, } and Shoulder. }	1st do.....	2	" .....	Mahabeshwar, large.....	8	" .....	Rajapoor.....	15
" .....	2nd do.....	1	" .....	small.....	0	Barley .....	new.....	13
" .....	3rd do.....	1	" .....	Pooná, large.....	3	" .....	old.....	13
Breast .....	1st do.....	1	" .....	small.....	3	Toor.....	1st sort.....	19
" .....	2nd do.....	1	" .....	Surat, large.....	4	" .....	2nd do.....	13
" .....	3rd do.....	1	" .....	small.....	3	Joaree.....	"	10
Tongue, Sheep's .....	each.	4	Yams, white .....	"	8	Nacheny.....	"	9
Brains .....	"	4	" .....	red.....	6	Vattana .....	"	13
Head .....	"	10	Onions.....	"	2	Chowley.....	per phara	2
Liver and Heart.....	"	1	GINGER.....	"	8	Dall, Broach.....	"	3
Kidneys .....	"	4	<b>DRY FRUITS OF SORTS.</b>			" .....	Surat.....	3
Feet .....	four.	4	Plums, fine .....	per seer weight.	2	<b>UNBOILED RICE OF SORTS.</b>		
Suet .....	per lb.	4	" .....	coarse.....	2	Rice, Putney.....	per phara	14
<b>MUTTON FOR NATIVES.</b>			Currants, fine .....	"	6	" .....	Sindey, red.....	"
First sort .....	12 lbs.	1	" .....	coarse.....	2	" .....	raw.....	10
Second .....	14 "	1	Praunes, new.....	"	2	" .....	red.....	8
Third .....	16 "	1	" .....	old.....	2	<b>BEATEN RICE OF SORTS.</b>		
<b>KID, SMALL.</b>			Almonds, sweet.....	"	1	Rice, Jerusalem, 1st sort.....	per phara.	3
Hind Quarter..... 1st sort 4 lbs.	1	1	" .....	bitter.....	3	" .....	2nd do.....	3
" .....	2nd do. 5 "	1	<b>BREAD, &amp;c.</b>			" .....	Vergole, 1st do.....	2
" .....	3rd do. 6 "	1	A loaf, 1st sort.....	13 oz. each.	1	" .....	2nd do.....	2
Fore Quarter .....	1st do. 5 "	1	" .....	13 oz. "	1	" .....	Sindey ratta.....	"
" .....	2nd do. 6 "	1	" .....	32 oz. "	2	" .....	Sergundee.....	3
" .....	3rd do. 7 "	1	" .....	16 oz. "	1	" .....	Putney.....	2
Head, Feet, Liver, & Heart.....	"	4	Flour, wheat .....	per seer measure	3	<b>MANGALORE RICE OF SORTS.</b>		
<b>KID, LARGE.</b>			Rolong .....	"	4	Rice, unboiled, 1st sort.....	per robin.	2
Hind Quarter..... 1st sort 4 1/2 lbs.	1	1	Sago, fine .....	weight.	1	" .....	2nd do.....	2
" .....	2nd do. 5 "	1	" .....	coarse.....	1	" .....	boiled, 1st do.....	2
" .....	3rd do. 5 1/2 "	1	Arrowroot, best.....	"	2	" .....	2nd do.....	1
Fore Quarter .....	1st do. 5 "	1	" .....	coarse.....	1	<b>BENGAL RICE OF SORTS.</b>		
" .....	2nd do. 6 "	1	<b>MILK AND BUTTER.</b>			Rice, unboiled, 1st sort.....	per bag of	5
" .....	3rd do. 7 "	1	Cows' milk .....	per seer measure.	1	" .....	168 lbs.	5
<b>LAMB, SMALL.</b>			" .....	per cup of 2 oz.	1	" .....	2nd do.....	12
Hind Quarter..... 1st sort 4 lbs.	1	1	Buffaloes' milk.....	per seer measure	1	" .....	boiled, 1st do.....	8
" .....	2nd do. 5 "	1	" .....	per cup of 2 oz.	1	" .....	2nd do.....	4
" .....	3rd do. 6 "	1	<b>FIREWOOD.</b>			<b>BHATT.</b>		
Fore Quarter .....	1st do. 5 "	1	Bahool, per candy of 28 mds. 784 lbs.	3		Bhatt, Putney, per moora of 25 pharas	25	
" .....	2nd do. 6 "	1	Khair .....	"	2	" .....	raw.....	22
" .....	3rd do. 7 "	1	Aine.....	"	2	" .....	"	20
<b>LAMB, LARGE.</b>			Kurmell.....	"	3	<b>SUNDRIES.</b>		
Hind Quarter..... 1st sort 5 lbs.	1	1	<b>OILS, CANDLES, AND SOAP.</b>			Saltpetre, Europe, per md. of 28 lbs.	2	8
" .....	2nd do. 6 "	1	Cocconut oil, 1st sort, pr. md. of 28 lbs.	2	3	" .....	Bengal.....	3
" .....	3rd do. 7 "	1	" .....	2nd "	2	" .....	Rajapoor.....	1
Fore Quarter .....	1st do. 6 "	1	Jeenglee.....	"	2	Pepper, black, 1st sort.....	per seer.	1
" .....	2nd do. 7 "	1	" .....	Ghantee.....	4	" .....	2nd do.....	1
" .....	3rd do. 8 "	1	Erundia, or Castor Oil .....	"	2	" .....	white.....	3
<b>PORK, FRESH AND SALT.</b>			Candles, Europe.....	"	19	Garlick, large.....	"	0
Pork, fresh .....	11 lbs.	1	" .....	Goa.....	17	" .....	small.....	6
Pig, roasting, large size.....	each.	1	Soap, country .....	Cochin.....	18	Cauphor .....	per pound.	9
" .....	small do.....	1	" .....	Europe, yellow .....	10	" .....	Salt, table.....	seer
Pig's Head.....	20 lbs.	1	" .....	white.....	3	" .....	common, white.....	pylee.
Sausages.....	4 "	1	" .....	"	6	" .....	black.....	1
Trotters, large.....	per four.	1	Vegetables generally sold according to the quantity in the Market, and the choice of the vegetables.			Bombay measures by which the articles are sold :— 4 Seers are one Pylee— 17 Pylees are one Phara— 8 Pharas are one Candy— 25 Pharas are one Moora.		

Bombay weights by which the articles are sold :— 1 Seer is 11 ozs. and 4 Grs.— 40 Seers are 1 Maund — 1 Maund is 28 English pounds.  
Published by order of the Board of Conservancy,  
J. WATSON, Clerk of the Markets.



# General Orders.

## MILITARY DEPARTMENT.

BY THE RIGHT HONORABLE THE GOVERNOR IN COUNCIL.

*Bombay Castle, 25th March 1852.*

No. 212 of 1852.—The following Officers are allowed a furlough to Europe, for three years, on Medical certificate:—

Lieut. Colonel S. Hennell, of the 8th Regiment Native Infantry.  
Ensign J. Colburne, of the 13th Regiment Native Infantry.

No. 213 of 1852.—Lieutenant J. Harpur, of the 6th Regiment Native Infantry, has been appointed Commandant of the Surat Sebundee Corps, and Superintendent of Police in the Surat Zillah.

*Bombay Castle, 26th March 1852.*

No. 214 of 1852.—Lieutenant H. L. Evans, of the 17th Regiment Native Infantry, is allowed a furlough to Europe, for three years, on Medical certificate.

No. 215 of 1852.—Major W. Reynolds, of the 14th Regiment N. I., having been declared incapable of performing the active duties of his profession, is transferred to the Invalid Establishment, at his own request, from this date, and is permitted to reside and receive his pay and allowances in the Deccan.

*Bombay Castle, 27th March 1852.*

No. 216 of 1852.—The Right Hon'ble the Governor in Council has received a report that Ensign W. G. G. Cumming, of the 17th Regiment N. I., has passed the prescribed examination as Interpreter in the Hindoostanee language.

No. 217 of 1852.—The following promotions are made:—

*27th Regiment Native Infantry.*

*Date of Rank.*

Lieutenant E. C. Fanning to be Captain, and Ensign F. R. B. Phillipson to be Lieutenant, in succession to Vaillant, retired. . . . . 22nd Feb. 1852.

The undermentioned Officer is ranked from the dates specified opposite his name, and posted to the 27th Regiment N. I., vice Phillipson, promoted:—

*Rank as Ensign in the*

	<i>Regiment.</i>	<i>Army.</i>
Henry Close. . . . .	6th February 1852.	10th December 1850.

No. 218 of 1852.—The following Native promotion is made:—

*2nd Belooch Regiment.*

*Date of Rank.*

Jemedar Bhugwut Sing to be Subedar, vice Hurry Ram, pensioned. . . . . 1st January 1852.

No. 219 of 1852.—The following General Order by the Most Noble the Governor General of India in Council, No. 168, dated Fort William, the 12th March 1852, is published:—

The Most Noble the Governor General of India in Council is pleased to direct, that from the 1st May next Pay shall no longer be issued from Civil or Military Treasuries in Bengal, or the North-Western Provinces, on the Leave Certificates of Native Soldiers of the Presidencies of Fort Saint George and Bombay: arrears to the authorized extent may be drawn for such Men, in the Abstracts of their Corps, by Regimental Officers, on proper Existence Certificates, and the amount remitted to the parties thereto entitled, (by Drafts, payable on personal presentation by the Payee,) in the same manner and under the same precautions as are observed in Bombay and Madras in making remittances of Soldiers' savings to their relatives in Hindoostan.

The Governments of the other Presidencies will issue whatever instructions may be necessary for carrying out the above order.

Articles 84 to 87, in pages 261-62, Section XXV. Code of 1849, are hereby cancelled.

*Bombay Castle, 29th March 1852.*

No. 220 of 1852.—Assistant Surgeon Ogilvie, of the Medical Establishment, is allowed a furlough to Europe, for three years, on Medical certificate.

No. 221 of 1852.—Lieutenant General Auchmuty, C. B., having intimated his wish to resign his appointment on the Divisional Staff of the Army of this Presidency, and to proceed to Europe on the 3rd proximo, Lieutenant General Staveley, C. B., the next Senior Officer on the Staff, is appointed Commander of the Forces, from the date of Lieutenant General Auchmuty's departure from India.

*Bombay Castle, 30th March 1852.*

No. 222 of 1852.—An Order by Brigadier D. Forbes, dated Aden, the 29th December 1851, making over the Command of the Aden Field Force to Lieutenant Colonel Whitlock, the next Senior Officer, on the Brigadier's departure to the Presidency, is confirmed.

*Bombay Castle, 31st March 1852.*

No. 223 of 1852.—Major M. F. Willoughby, C. B., Agent for Gunpowder, is directed to proceed to Penn and Chiploon, on duty, and Captain Glasse will act for him during his absence.

*By Order of the Right Hon'ble the Governor in Council,*  
P. M. MELVILL, Lieut. Colonel,  
*Secretary to Government.*

---

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

*Bombay Castle, 27th March 1852.*

No. 46 of 1852.—The undermentioned Officers are appointed a Standing Committee of Survey for the Indian Navy:—

The Captain or Commander of the "Hastings,"  
The Signal Officer at the Light-house; and  
The Clerk of the "Hastings."

*Bombay Castle, 31st March 1852.*

No. 47 of 1852.—Assistant Surgeon John Crawford is allowed leave of absence for three months, from the 23rd instant, to proceed to Bombay, on Medical certificate.

*By Order of the Right Hon'ble the Governor in Council,*  
P. M. MELVILL, Lieut. Colonel,  
*Secretary to Government.*

---

**Civil Appointments, &c.**

*POLITICAL DEPARTMENT.*

*Bombay Castle, 27th March 1852.*

The leave of absence granted to Lieutenant Colonel S. Hennell, Resident in the Persian Gulf, under date the 12th instant, is extended to the 3rd proximo, under Section XII. of the Absentee Regulations.

*Bombay Castle, 31st March 1852.*

Mr. C. J. D. Cole, of the Indian Navy, is appointed East India Company's Agent at Juddah.

Mr. R. W. Lodwick, attached to the Office of the Judge at Surat, is permitted to proceed to the Presidency from the 1st proximo, for the purpose of preparing for the Examination which takes place in the month of May next.

*GENERAL DEPARTMENT.*

*Bombay Castle, 29th March 1852.*

The Right Hon'ble the Governor having proceeded to the Mahableschwur Hills on the 23rd instant, Mr. A. Malet, Chief Secretary, and Secretary to Government in the Political and Secret Departments, will proceed to join His Lordship as Secretary in attendance, to have charge of all the Civil Departments. He will also have charge of the Military and Marine Departments until the Military Secretary joins.

Mr. H. E. Goldsmid, Secretary in the Revenue and Financial Departments, will conduct the duties of the Political and Secret Departments at the Presidency.

*TERRITORIAL DEPARTMENT.*

REVENUE.

*Bombay Castle, 31st March 1852.*

Mr. J. H. Pelly, Collector of Surat, has been allowed to proceed into his Districts on duty from the 16th instant.

*TERRITORIAL DEPARTMENT.*

FINANCE.

*Bombay Castle, 30th March 1852.*

Mr. J. G. Lumsden to act as a Member of the Mint Committee, during the absence of Mr. Malet from the Presidency.

Under the provisions of Section XI. of Act III. of 1840, the Right Hon'ble the Governor in Council has been pleased to appoint Mr. J. G. Lumsden a Government Director of the Bank of Bombay, during the absence of Mr. Malet from the Presidency.

*Bombay Castle, 31st March 1852.*

Mr. C. Price, Acting Military Accountant, has this day resumed charge of his duties.

*By Order of the Right Honorable the Governor in Council,*

H. E. GOLDSMID, *Secy. to Government.*

*GENERAL DEPARTMENT.*

*Bombay Castle, 27th March 1852.*

Surgeon Grierson, 1st Grenadier Regiment, to be Personal Surgeon to the Commissioner in Scinde, from the date of Dr. Don's departure from Kurrachee, until further orders.

With reference to the Notification of the 31st August 1850, the permanent appointment of Govind to be an Assistant Vaccinator is cancelled, and he is appointed an Acting Assistant Vaccinator from that date.

The Hon'ble the Court of Directors have granted Mr. Frank Sims, of the Bombay Civil Service, an extension of leave for three months.

The following promotions and arrangements have been made in the Vaccinating branch of the Medical Department:—

*In the Deccan Division.*

Babajee,	}	1st Grade Apprentices,
Wannajee Kishew,		
Keshew Sudeshwur,	}	2nd Grade Apprentices,
Ramchunder Annunt,		
Bapoojee Ramchristna, and		
Probationer Damother Eshwunth,		

To be Assistant Vaccinators.

Gunnesh Trimbuck,  
Ballajee Gunnesh, and  
Sudeshwur Bhaorow,

To be 2nd Grade Apprentices.

*In the Concan Division.*

Poondlick Narrayen,	}	1st Grade Apprentices,
Maljee Moolikur,		
Jynooddeen Woodray,	}	2nd Grade Apprentices,
Ittoo Mookhur, and		
Shaboodeen Narkhur,		

To be Assistant Vaccinators.

Balerustna,  
Abdool Gunna, and  
Bablia Kannoo,

To be 2nd Grade Apprentices.

*In the Island of Bombay.*

Bappoo Narayen,  
Luximon Gunnoo,  
Shalum Bandoo, and  
Shaik Abraham,

To be Assistant Vaccinators.

*In the South-East Division, Guzerat.*

Manucklall,	}	1st Grade Apprentices,
Mahaputram Dalputram,		
Govind, Acting Assistant Vaccinator,	}	2nd Grade Apprentices,
Cassinath Mahadeo,		
Sudoba Mahadeo, and		
Venaik Rao Junardin, Probationer,		

To be Assistant Vaccinators.

Venaikrao Mahadeo,

To be 2nd Grade Apprentice.

*In the North-West Division, Guzerat.*

Purbodass Herjee,	}	1st Grade Apprentices,
Mullick Sadoo,		
Ramchunder Munguldass,	}	2nd Grade Apprentices,
Bhogeelall Baboolall,		
Mirza Bappoo, and		
Praunlall Chotumlall,	}	Probationers,

To be Assistant Vaccinators.

Morar Kamchund, and  
Buhin Booloo,

To be 2nd Grade Apprentices.

*In the Southern portion of the Deccan.*

To be under the orders of the Civil Surgeons at Dharwar and Belgaum :—

Abdool Raymon, Dharwar, and  
Bhiccajee Amrootee, Belgaum,

To be Assistant Vaccinators.

*Bombay Castle, 30th March 1852.*

Assistant Surgeon George Ballingall to be Acting Professor of Anatomy, Surgery, and Clinical Surgery in the Grant Medical College, Assistant Surgeon of the Jamsetjee Jejeebhoy Hospital, and Superintendent of Vaccination at the Presidency, vice Peet, absent on Medical certificate.

*Bombay Castle, 31st March 1852.*

Major Tullock received charge of the Post Office at Mhow, on the 15th ultimo.

On the departure of Lieutenant Colonel Melvill on leave of absence to Egypt, Major Maughan, Acting Secretary in the Military and Marine Departments, will join the Right Honorable the Governor at Mahableschwur, as Secretary in attendance, in charge of those Departments.

Mr. J. G. Lumsden, Secretary in the General and Judicial Departments, will conduct the duties in the Military and Marine Departments during Major Maughan's absence.

**JUDICIAL DEPARTMENT.**

*Bombay Castle, 27th March 1852.*

The leave of absence granted to Mr. R. H. Ryan, Acting Assistant Judge and Session Judge of Ahmedabad, on the 18th ultimo, is extended to the 9th instant.

*Bombay Castle, 31st March 1852.*

The Judges of the Sudder Dewance Adawlut have reported that they have issued a Sunnud to Govind Vishnoo Kurndeekur, authorizing him to practise as Vakeel in the Revenue Courts of the Rutnagherry Collectorate.

**ECCLESIASTICAL DEPARTMENT.**

*Bombay Castle, 31st March 1852.*

The Rev. M. J. Boys, Assistant Chaplain at Rajcote, is allowed leave of absence for one month from the 15th proximo, on private affairs.

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

J. G. LUMSDEN, Secy. to Government.

**P A C K E T S .**

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

NAMES OF VESSELS.	AGENTS' NAMES.	DATE OF INTENDED DEPARTURE.	TO WHAT PORT.	WHERE TOUCHING.
Ajdaha.....	Commander in Chief, Indian Navy...	3rd April .....	Suez .....	Aden.
Malta .....	P. & O. S. N. Company .....	18th ditto.....	Hong-Kong .....	{ Ceylon, Penang, and Singapore,
G. R. Clerk.....	Bombay S. N. Company.....	3rd ditto .....	Cambay .....	Surat.
Victoria .....	Ditto .....	8th ditto .....	Kurrachee.....	
British Empire .....	Messrs. W. Nicol & Co. ....	2nd ditto .....	London.....	
Elizabeth.....	" Cardwell, Parsons & Co. ....	3rd ditto .....	Whampoa.....	
Eleanor .....	" Remington & Co. ....	Ditto .....	China.....	
Alberta.....	" W. & A. Graham & Co.....	Ditto .....	Liverpool.....	
Ferozepore.....	" Diram Hunter & Co.....	4th ditto .....	China.....	
Columbia.....	" W. Nicol & Co.....	6th ditto .....	London.....	
Tory.....	" Forbes & Co.....	Despatch.....	Liverpool.....	
Tartar.....	" Ritchie, Steuart & Co.....	Ditto.....	China.....	
James Turcan.....	" Martin, Young & Co.....	Ditto .....	Liverpool.....	
Marian .....	" W. Elsam & Co.....	Ditto.....	China.....	

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

A. W. RAVENSCROFT,

*Bombay, Genl. Post Office, 31st March 1852.*

*Post Master General.*

**TERRITORIAL DEPARTMENT,  
REVENUE.**

Hurry Narayan Laley, Acting 4th Class Mamlutdar of the Ankola Talooka of the Ahmednuggur Collectorate, to be Mamlutdar of that District.

Shamrow Govind, Acting 4th Class Mamlutdar of the Koretee Talooka of Ahmednuggur, to be confirmed in that appointment.

Venaik Bhugwunt, Acting 4th Class Mamlutdar of the Rahooree Talooka of Ahmednuggur, to be Mamlutdar of that District.

**W. COURTNEY,**  
Revenue Commissioner S. D.

*Revenue Commissioner's Camp,  
Rutnagherry, 25th March 1852.*

**TERRITORIAL DEPARTMENT,  
REVENUE.**

With reference to the Government Notification marked D, published in the Supplement to the Bombay Government Gazette dated 9th February last, it is hereby notified that the Right Hon'ble the Governor in Council has been pleased to rule that the Drawback therein allowed is to be considered as payable only on the re-export of Goods which may have been imported from Ports beyond the Continent of India, and not from those situate on the Continent of India.

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

**H. E. GOLDSMID,**  
Secy. to Government.

*Bombay Castle, 30th March 1852.*

**બહાર નામુ**

એહુવુંને તારીખ ૯ મી ફેબ્રુઆરી શં  
ને ૧૮૫૨ ના ગવર્નમેંટ ગેઝેટની પુરવણી  
નાંનીયાંણી ચાંક ૪ પરનાંણી યંદગાન અ  
લીનવાય મુશતતાય હજરત રથેટ હજરાયલ  
ગવર્નર શાહેય યાહાદુર દર ઇંબલાશ કોં  
શલ બહાર કરે છે કે શરદુ ચાંકનાં ને છુ  
ટ લખીછે તે હોંદુશથાન માંહેના ને યંદરો  
છે તાંહાંથી માલ આવીને ફરીનેપાછા બંધ  
તે જીપર આપેઆનાં આવશે નહીં પણ ને  
માલ હોંદુશથાન શીવાય બીબ દેશનાંનાં યં  
દરોથી આવીને ફરીને પાછા બંધ તે જીપર  
નાતર આપેઆનાં આવશે \*

બનેબંધે હુકમ યંદગાન અલી  
નવાય મુશતતાય હજરત રથેટ  
હજરાયલ ગવર્નર શાહેય યાહા  
દુર દર ઇંબલાશ કોંશલ \*

નીયાંણી

એચ.—ઇ.—ગોલડસમીડ.

શેકરેતારી નીશયત શરકાર.

તારીખ ૩૦ મી માર્ચ શંને ૧૮૫૨

ઇંશવી મુકામ મુબરે \*

**A. RICHARDSON,** Depy. Secy. to Govt.

**जाहीर नामा**

રેસાજે તારીખ ૯ ફેબ્રુઆરી સન ૧૮૫૨ જે ગવર્નમેંટ ગ્યાઝેટ  
જે પુરવણાત નિશાણી અંક ૪ પ્રમાણે બંદોગાન અલીનવાય  
મુશતાય હજરત રેટ હજરાયલ ગવર્નર સાહેબ યાહાદુર દર  
ઇંબલાશ કોંશલ જાહાર કરાનાત કોં સદરજ અંકાત જી સુ  
ટ લિહિનો આહે તો જાદસ્થાનાંતાલ જીં બંદરે આરેત તેયુ  
ન માલ યેહન પુઝા પરત જારેલ ત્યાજવર દિલ્હિ જાગાર  
નાહી પરંતુ જો માલ જાદસ્થાના જેરોજ દુબરે દેશાંતાલ બંદ  
રાતૂન યેહન પુઝા પરત જારેલ ત્યાજવર માલ દિલ્હિ જારેલ  
બનેબંધે હુકમ બંદોગાન અલી નવાય મુશતાય હજ  
રત રેટ હજરાયલ ગવર્નર સાહેબ યાહાદુર દર  
ઇંબલાશ કોંશલ.

નિશાણી

રચ. દ. ગોલડસમીડ,  
સક્રટારી નિશયત સરકાર.

તારીખ ૩૦ માર્ચે સન ૧૮૫૨ દ  
સવો મુકામ મુબરે

**A. RICHARDSON,** Depy. Secy. to Govt.

**JUDICIAL DEPARTMENT.**

It is hereby notified for general information, that the Judicial Commissioner for the Southern Mahratta Country may be expected to arrive at the undermentioned Stations on the dates specified:

- Rutnagherry . . . . 18th April 1852.
- Belgaum . . . . . 15th May "
- Dharwar . . . . . 1st June "
- Sholapoor . . . . . 1st July "

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

**J. G. LUMSDEN,**  
Secretary to Government.

*Bombay Castle, 31st March 1852.*

**JUDICIAL DEPARTMENT.**

Under the provisions of Regulation VI. of 1834, the Judges of the Sudder Dewanee Adawlut have sanctioned the closing of all the Civil Courts of the Tanna Division of the Konkun Zillah, with the exception of the Courts of the Principal Sudder Ameen and of the Moonsiff of Bhewody, for a period of six weeks from the 1st May next.

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

**J. G. LUMSDEN,**  
Secy. to Govt.

*Bombay Castle, 31st March 1852.*

**JUDICIAL DEPARTMENT.**

Under the provisions of Regulation VI. of 1834, the Judges of the Sudder Dewanee Adawlut have directed the closing of all the Civil Courts of the Ahmedabad Zillah, with the exception of Appeal Courts, from the 20th proximo, for a period of six weeks.

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

**J. G. LUMSDEN,**  
Secy. to Govt.

*Bombay Castle, 31st March 1852.*

**Notice.**

Sealed tenders will be received at this office at 1 o'clock P. M. on Monday the 12th proximo, from such parties as may be willing to enter into a con-

tract to deliver at the Hon'ble Company's Salt-pans on this Island, in the month of April next, about one lac and twenty-five thousand bundles of Hay, for covering heaps of salt.

Security will be required for the fulfilment of the contract.

All further information may be obtained on application at this office, from 11 o'clock A. M. to 3 o'clock P. M. daily, Sundays excepted.

J. N. ROSE,

Ofliciating Collector of Land Revenue.

Bombay, Collector's Office,  
30th March 1852.

**Advertisement.**

Tenders are hereby invited for the conveyance to Singapore of about eight tons of Naval Stores, under transmission to the Honorable Company's Steam-frigate "Semiramis."

Particulars as to the nature of the Stores, the size, weight, &c. of the packages, may be learnt by personal application at the Office of the Commander in Chief Indian Navy.

By Order of the Commander in Chief Indian Navy,  
J. W. YOUNG,

Assistant Superintendent I. N.

Commodore's Office,  
Bombay, 31st March 1852.

**Notification.**

**GRANT MEDICAL COLLEGE.**

The Examination of Candidates for admission into this College will be held on Friday the 30th April, at 11 o'clock, A. M., and not on Monday the 12th April, as previously intimated.

Candidates are requested to give in their names, and the Certificates required by No. V. of the College Regulations, to the Principal, at the College, on the 27th April, at 11 o'clock A. M.

There will be ten Stipendiary Studentships to be competed for on this occasion.

(Signed) C. MOREHEAD,  
Principal Grant Medical College.

Bombay, 29th March 1852.

By Order of the Board of Education,

M. STOVELL,  
Secretary.

**Notice**

Is hereby given, that sealed tenders will be received at this office on Tuesday next, the 6th proximo, until 2 o'clock P. M., (any delivered after that hour will be rejected,) for the supply of the undermentioned articles, viz:—

500 (Five hundred) Sheets Sheathing Copper, Europe, 16 oz.

500 (Five hundred) Sheets Sheathing Copper, Europe, 18 oz.

No tenders will be received unless accompanied by a cash deposit of ten per cent. on the value of the articles tendered by the party, which will be forfeited in the event of refusal or delay in making the supply within the limited time.

The tenders must specify, both in words and figures, the rates at which the party or parties will undertake to make the supply, as also the period by

which the articles can be supplied to the Indian Naval Stores.

The tenders should be superscribed "Tenders for Sheathing Copper, Europe"

The supply to be subject to examination, and rejection if not approved of, by the indenting department.

All further particulars may be learnt on application at this office, from 10 A. M. till 5 o'clock P. M. daily, Sunday excepted.

No reason will be assigned for rejecting any offer.

E. WHICHELO, Major,  
Deputy Commissary General.

Bombay, Depy. Comm'y. Gen'l's Office,  
31st March 1852.

**Notice**

Is hereby given, that sealed tenders will be received at this office up to Monday, the 26th April 1852, from such parties as are desirous of entering into contracts for the supply to the Commissariat Department in Upper Sindh of the articles comprised in the schedules Nos. 1 to 13, as below specified. The contracts are to commence from the 1st of the month succeeding that on which the sanction of the Military Board to any tenders shall be received, unless specially ordered to the contrary, and they are to terminate on the 31st January 1853.

Schedule No. 1, for Bread, &c.	}	One separate offer for the articles comprised in schedule No. 1.
" " 2 Fresh Meat, &c. Do. do. No. 2.		} One separate offer for the articles comprised in schedules No. 3 to 12 inclusive.
" " 3 Coffee, Sugar and Tea.		
" " 4 Rice, Salt and Wood..		
" " 5 Liquor, Beer, &c. ....		
" " 6 Medical Comforts ....		
" " 7 Country Medicines and Hospital Provisions.		
" " 8 Hospital and Office Furniture.....		
" " 9 Stationery .....		
" " 10 Provisions .....		
" " 11 Miscellaneous Articles ..		
" " 12 Tinning Cooking Vessels	}	One separate offer for the articles comprised in schedule No. 13.
" " 13 Puckaulie Bullocks.		

All persons wishing to tender for the contracts may, on application at this office, from 10 A. M. to 4 P. M. daily, Sundays excepted, obtain copies of the lists or schedules of the rates, and such other information relating thereto as they may require.

The tenders must specify, both in words and figures, the rates per cent. above or below the prices stated in the schedules above adverted to at which parties offering will undertake to furnish the articles therein embraced, and it is to be understood that the supplies to be furnished under the contracts are to be of unexceptionable quality, and are to be first brought to the Commissariat Office or stores (as may be directed) for inspection, and then delivered to the indenting officers or departments at Sukkur and Shikarpoor, free of all expense for carriage, &c. beyond that agreed upon. All articles tendered will be subject to the approval

of the receiving authorities, and if rejected by them will (at the option of the contractor) be surveyed by a committee of officers, to be appointed for the purpose, whose decision shall be final, and 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 contracts.

The contractors will be required to sign and seal deeds of contract stipulating to the above effect, and that they will comply immediately with allemergent demands for the articles included in the abovementioned schedules, and others, of less emergency, within the period stated in the requisitions made upon them; in failure whereof, or if the supply be condemned by a committee of officers as aforesaid, the articles, or such others as may be required in lieu of those so condemned, will be purchased at their risk and cost, and in all such cases an advance of Rupees 30 (thirty) per cent. upon the amount of expenses incurred, or a fine of Rupees 50 (fifty), at the option of the commissariat officer in Upper Scinde, 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 it the sum stated opposite each list or schedule respectively, which sum will be forfeited in the event of delay, evasion, or refusal on the part of the tenderer to execute the necessary deed of contract, should his tender be accepted, and in case of such acceptance, he must be prepared to furnish unexceptionable bonded security to the further amount stated, which, together with the abovementioned deposit, will be held as security for the due fulfilment of every part of the contract.

Schedule No.	1	2	3	4	5	6	7	8	9	10	11	12	13
	Rs. 7	Rs. 28	Rs. 282	Rs. 205	Rs. 197	Rs. 4	Rs. 50	Rs. 116	Rs. 55	Rs. 343	Rs. 91	Rs. 9	Rs. 702
	9	37	282	205	197	4	50	116	55	343	91	9	702
	70	282	205	197	4	50	116	55	343	91	9	702	
	51	205	197	4	50	116	55	343	91	9	702		
	49	197	4	50	116	55	343	91	9	702			
	1	4	50	116	55	343	91	9	702				
	12	50	116	55	343	91	9	702					
	29	116	55	343	91	9	702						
	14	55	343	91	9	702							
	86	343	91	9	702								
	24	91	9	702									
	2	9	702										
	176	702											

Parties willing to undertake the contract for Brandy, Beer, &c. are required to send in two tenders for the same, viz. one on the usual terms, and the other on the condition of receiving empty bottles, not required for the use of the Commissariat Department in Upper Scinde, at the following rates:—

Quart Bottles at 3 annas per dozen.  
Pint " " 4 annas " "

Government will be at liberty, if necessary, to obtain any portion of these supplies from their Jails, or any other departments, &c.

The tenders will be opened at 12 o'clock (noon) precisely, on the date fixed in the 1st para. of this notice, in the presence of such parties as may be in attendance at the Commissariat Office at Sukkur on that day and hour, with the requisite

deposit, and no tenders will be received after that time.

The amount of retrenchments made by the Military Board on the contractors' bills will be recovered from the first bills preferred for payment by the contractors, but in the event of such retrenchments being subsequently remitted, the amount thereof will be refunded to them.

The annual outlay on the above contracts is estimated as follows:—

Schedule No.	1	2	3	4	5	6	7	8	9	10	11	12	13
	Rs. 142	Rs. 185	Rs. 1410	Rs. 1026	Rs. 984	Rs. 21	Rs. 248	Rs. 579	Rs. 277	Rs. 1717	Rs. 456	Rs. 48	Rs. 3514
	3	1	5	9	0	1	6	2	12	11	11	2	0
	6	3	8	11	8	8	6	8	1	10	2	10	0
	142	185	1410	1026	984	21	248	579	277	1717	456	48	3514
	3	1	5	9	0	1	6	2	12	11	11	2	0
	6	3	8	11	8	8	6	8	1	10	2	10	0

No reason will be assigned for the rejection of any offer, and no deposit will be returned until the decision of the Military Board shall be received.

A. F. LLOYD, Lieutenant,  
1st Class Commissariat Agent.

Upper Scinde, Commissariat Office,  
Sukkur, 15th March 1852.

### MILITARY

#### ARRIVALS AND DEPARTURES.

1852	ARRIVALS.
24th Mar.	Lieutenant A. C. McNeill, 40th Regt. Madras N. I., on duty, from Aden.
" "	Lieutenant C. T. Palin, 19th Regt. N. I., on leave, from Kolapore.
25th "	Lieutenant J. A. Ballard, Engineers, from Madras.
" "	Assistant Surgeon H. Deane, Medical Establishment, on duty, from Aden.
" "	Lieutenant J. Burnside, 3rd Madras L. I., on Medical certificate.
" "	Lieutenant W. A. Glasspool, 4th Rifles, on leave, from Belgaum.
" "	Lieutenant W. W. Browne, 9th Regt. N. I., on duty, from Belgaum.
" "	Lieutenant P. Dods, 9th Regt. N. I., on duty, from Belgaum.
" "	Ensign A. Griffiths, 2nd European L. I., on duty, from Belgaum.
" "	Brigadier General W. D. Robertson, Divisional Staff, on duty, from Belgaum.
" "	Lieutenant and Adjutant A. Y. Sinclair, 20th Regt. N. I., on leave, from the Western Coast.
" "	Ensign A. Bowles, 2nd European L. I., on duty, from Belgaum.
20th "	Captain Cormack, Guzerat Provincial Battalion, on leave, from Kaira.
" "	Captain J. Grimes, 3th Madras N. I., on furlough, from Kamptee.
" "	Lieutenant Lawrence, 9th Regt. N. I., to rejoin, from Kurrachee.
" "	Lieutenant A. T. Etheridge, 23rd Regt. N. I., on leave, from Nusseerabad.
" "	Lieutenant H. G. G. Shaw, 3rd Regt. N. I., to rejoin, from Kurrachee.
" "	Surgeon Harrison, 37th Madras Grenadier N. I., on leave, from Kamptee.
27th "	Lieutenant G. Nightingale, Nizam's Cavalry, on Medical certificate, from Ellichpore.
28th "	Assistant Surgeon R. J. Russell, Horse Artillery, on Medical certificate, from Poona.

29th Mar. Lieutenant Colonel H. Sandwith, Native Veteran Battalion, on duty, from Dapoolie.  
 " " Lieutenant S. Dobree, Staff, on duty, from Poona.  
 " " Lieutenant B. G. Glasspoole, 6th Regt. N. I., on duty, from Tanna.

DEPARTURES.

24th Mar.—Lieut. T. Gillespie, Engineers, to rejoin, to Poona.  
 25th " Brevet Major A. A. Drummond, 11th Regt. N. I., to rejoin, to Malligaum.  
 27th " Lieutenant J. S. Trevor, Engineers, to rejoin, to Nas-sick.  
 " " Assistant Surgeon A. Fyfe, 1st Fusiliers, to join, to Poona.  
 " " Assistant Surgeon H. Deane, Medical Establishment, on duty, to Kurrachee.  
 " " Brevet Captain W. B. Jackson, 31st Madras N. I., to join, to Hurryhar.  
 " " Lieutenant J. W. Burgess, 20th Regt. N. I., on leave, to Mahableshwur.  
 29th " Major W. Reynolds, Invalid Establishment, to re-side at Poona.  
 " " Ensign J. S. Carr, 6th Regt. N. I., on duty, to Tanna.  
 " " Lieutenant C. C. Strettell, 11th Regt. N. I., to join, to Malligaum.  
 30th " Lieutenant and Adjutant A. Y. Sinclair, 26th Regt. N. I., to join, to Ahmednuggur.  
 " " 2nd Lieutenant J. A. Ballard, Engineers, to join, to Poona.  
 " " Ensign C. Hacon, attached to 2nd Eur. L. I., to join, to Belgauum.  
 " " Ensign A. R. Wilson, attached to 2nd Eur. L. I., to join, to Belgauum.

Bombay, Town Major's Office,  
 31st March 1852.

SHIPPING INTELLIGENCE.

1852

ARRIVALS.

26th Mar.—Steamer G. R. Clerk, T. Powell, from Surat 25th March.  
*Passengers*—Captain Cormack; Captain Etheridge; and Captain Robertson.  
 " " Steamer Lowjee Family, J. Rankin, from Surat 25th March.  
*Passengers*—42 Natives.  
 27th " Ship Stornoway, J. Robertson, from London 6th December.  
*Passengers*—Lieut. D. Hutchins, 2nd European Regiment L. I.; Miss E. Davies; Master Davies; Mr. R. Forrest; Mr. A. Brend; Mrs. Swaysland; and Messrs. Sauer and Buden, Bandmas-ters.  
 " " Steamer Victoria, J. Woolley, from Kurrachee 24th March.  
*Passengers*—Lieut. Sears, H. M.'s 64th Regt.; Mrs. Archer; and 20 Natives.  
 28th " Steamer Sir J. Jeebhoy, J. Clark, from Surat 27th March.  
*Passengers*—E. Ravenscroft, Esq., C. S.; and several Natives.  
 " " Steamer Sir J. R. Carnac, G. M. Beyts, from Surat 27th March.  
*Passengers*—G. Grant, Esq., C. S.; J. Morgan, Esq., C. S.; and several Natives.  
 " " Ship Alberta, J. Benson, from Greenock 27th Octo-ber.  
 " " Ship Lord Dufferin, J. Clarke, from Sydney 23rd December.

DEPARTURES.

24th Mar.—Ship Dundonald, J. Gillies, to Liverpool.  
*Passengers*—Mrs. G. Leven, and Child; and Liea-tenant J. M. Stone.  
 26th " Ship Janet Willis, T. Nickles, to China.  
 " " Steamer Phlox, F. M. Ellis, to Surat.  
*Passengers*—Several Natives.

27th Mar. H. C. Steamer Auckland, G. A. Adams, to Kurra-chee.  
*Passengers*—Troops.  
 " " Brig Atlet Rahoman, Hajee, Nacodah, to Penang.  
 28th " American Ship Eben Dodge, D. H. Mansfield, to Salem.  
 " " Steamer Dwarka, F. Banks, to Kurrachee.  
*Passengers*—Mrs. Geery; G. W. Steel, Esq.; Peer Ibrahim Khan, Esq.; and several Natives.  
 29th " Steamer Lowjee Family, J. Rankin, to Surat.  
*Passengers*—Several Natives.  
 " " Steamer Sir J. Jeebhoy, J. Clark, to Surat.  
*Passengers*—Several Natives.

L. C. C. RIVETT,  
 Officiating Senior Magistrate of Police.  
 Bombay, Police Office,  
 31st March 1852.

NOTICE.—Having formed a connexion with MESSRS. THOMSON, FINLAY & Co., of Liverpool, and MESSRS. WILSON, KAY & Co., of Glasgow, we have to notify that our business will be henceforth carried on under the firm of FINLAY, SCOTT AND Co.

HENRY SCOTT & Co.  
 Bombay, 31st March 1852.

INDIA AND LONDON  
 LIFE ASSURANCE COMPANY.

14, Waterloo Place, and  
 79, King William Street, London.  
 Capital, £250,000, in 5,000 Shares, of £50 each.

DIRECTORS.

*Chairman*.—The Chisholm, Erchless Castle, Inver-ness-shire, and Chapel Street, Grosvenor Place, London.  
*Deputy Chairman*.—Richard Hartley Kennedy, Esq. (late Physician General, Bombay) Resington Lodge, Notting Hill.

Colonel Bagnold. John Inglis Jerdein, Esq.  
 Henry Stroud Barber, Esq. Frederick Jones, Esq.  
 Francis Brodigan, Esq. James John Kinloch, Esq.  
 J. William Deacon, Esq. Henry Lawson, Esq.  
 H. George Gordon, Esq. R. F. Power, Esq., M. D.  
 H. Allan Harrison, Esq. Archibald Spens, Esq.

*Manager*.—A. R. IRVINE, Esq., 13, Waterloo Place.

AGENTS at CALCUTTA.—Messrs. ALLAN, DEFFRELL, & Co.

" at MADRAS.—Messrs. AMALRIC & Co.

AT BOMBAY.

AGENTS.—Messrs. GREY & Co.  
 MEDICAL REFEREE.—H. J. CARTER, Esq., H. C. S.

SOLICITOR.—J. JEFFERSON, Esq.  
 This Company assures the Lives of healthy persons in any part of the world, at as low rates of premium as can be taken consistently with perfect security.

NATIVE LIVES Assured for any amount from Rs. 500 and upwards.

ANNUITIES granted—both deferred and reversionary.

Extract from the Tables of Annual Premiums re-quired for an Assurance of 1000 Rupees or £100.

Age.	CIVILIANS.			MILITARY AND NAVAL.		
	One year.	Seven years.	Whole life.	One year.	Seven years.	Whole life.
	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.
18	20	21	29	30	31	38
25	23	24	33	33	35	42
30	25	27	37	36	37	45
35	28	30	42	39	41	50
40	32	34	47	42	44	55
45	36	39	54	46	49	62

Parties returning to reside in Europe, will be ad-mitted to Europe Rates of Premium.



Prospectuses, and every requisite information obtained, on application to the Agents of the Company.

GREY & Co., Agents, Bombay.

**ORIENTAL BANK CORPORATION.**

WITH reference to the Oriental Bank's Advertisement dated 10th Feb. 1851, the undermentioned Notes of the Bank of Bombay (payment of which has been stopped) are still unrecovered.

It is requested that any person to whom any of these may be tendered, will give information thereof at the Police Office, Fort.

Rs. 1000.	Rs. 500.	Rs. 100.	Rs. 50.
2148	4512	347	12183
2363	4563	3623	12382
2425	4587	3767	20483
2492	4635	4016	8065
2657	4686	4035	8115
4032	4720		8472
4188	4786		8710
4209	4834		8751
4215	4854		8828
4331	5108		8840
4345	5139		9224
4350	5170		9231
4354	5489		9256
4398	6001		9268
4461	6114		9273
4464	6318		9618
4466	6441		9693
4499	6715		10083
4508	6927		11022
			11461
			11486
			11631

Bombay, 1st January 1852.

**ORIENTAL BANK CORPORATION.**

(Incorporated by Royal Charter.)

BOMBAY AGENCY.

INTEREST ALLOWED.

On Deposits repayable on demand	2 per cent. per ann.
On do. do. } $\frac{1}{2}$ at 1 month's notice	3 do.
On do. do. } $\frac{1}{2}$ at 3 do.	4 do.

INTEREST AND DISCOUNT CHARGED.

On Government Bills	} Not exceeding 3 months.	4 per cent. per ann.
" Private Bills		7 " "
" Private Bills secured by Govt. Paper		6 " "
" Private Bills secured by Goods, &c.		7 " "

Rebate on uncovered Bills allowed at Government Bill rate only.

RATES OF EXCHANGE.

On London at 6 months' sight	1s. 11d. per Rupee.
" " 3 " "	1s. 10 $\frac{1}{2}$ d. "
" " 2 " "	1s. 10 $\frac{1}{2}$ d. "
" " 1 " "	1s. 10 $\frac{1}{2}$ d. "
" " 1 day's	1s. 10 $\frac{1}{2}$ d. "
On Ireland 1 " "	} 1s. 10d. "
On Scotland 1 " "	
Circular Notes payable throughout Europe	

N.B.—The Corporation does not draw at six months' sight for sums under £50; nor for sums under £20, except at one day's sight. No Drafts are issued for less than £5; but small sums are remitted by advice.

For the convenience of parties not resident in Bombay, the Corporation undertakes to remit to Europe, by its own Drafts, at the Current Exchange, and without any charge for Commission, on receiving the Equivalent.

Parties are requested to make all Orders or Hoondees payable to "The Oriental Bank Corporation, or Order"; and to state as distinctly as possible the name and address of the party to whom the remittance is to be made, and the sight at which the Bills are to be drawn.

COMMISSION.

The rate of COMMISSION charged by this Agency on the purchase or sale of Government and other Securities, negotiable in Bombay, is one-half per cent. on the amount invested or realized; and on the collection of Bills one per cent., and Postage.

JOHN RIACH,  
Sub-Agent.

Rampart Row, Bombay,  
31st March 1852.

**By Authority.**

Will be published early in April next,

THE

**BOMBAY ARMY LIST,**

CORRECTED UP TO THE 1st APRIL.

COMPRISING ALSO

**THE INDIAN NAVY LIST,**

THE

**NIZAM'S ARMY LIST,**

AND THE

**BOMBAY CIVIL LIST.**

PRICE, 2 $\frac{1}{2}$  Rs., free of Postage.

BOMBAY EDUCATION SOCIETY'S PRESS, March 18th 1852.

Agency in the Fort:—BOMBAY GAZETTE PRESS.

Printed for the Government, by M. MULL, at the BOMBAY EDUCATION SOCIETY'S PRESS, Bycullah.