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## NOTIFICATION.

Bombay Castle, 4th August 1831.

GENERAL DEPARTMENT.

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

Bombay, 5th April 1848.

J. G. LUMSDEN, Secy. to Govt.

## Notice

Is hereby given, that Sealed Tenders will be received at this Office until 12 o'clock, on Monday the 26th instant, for supplying, during the ensuing year, the undermentioned Articles, for the use of the Mint. Separate Tenders must be made for each description of supply:—

1. Miscellaneous Articles.
2. Clarified Tallow.
3. Firewood, Aynee or Khairee.
4. Charcoal, Babool, large and small.
5. Copper Annealing Tubes and Pans.
6. Iron and Steel.
7. Files of sorts and sizes.
8. Litharge.
9. For removing Ashes and Rubbish.

The Tenders for Miscellaneous Articles must specify a rate per cent. above or below a list of prices, which will be shown in this Office, at which the Contractor will undertake to supply the whole of the Articles enumerated. The remaining Tenders must state the rates at which each separate Article will be supplied, and the sum of Rupees (200) two hundred must be deposited for each Tender that may be accepted, to be forfeited in the event of evasion or delay in entering into the necessary recognizances. Samples of the Articles required may be seen, and other information regarding the Contract obtained, on application at this Office, daily, from 10 A. M. to 4 P. M.

Security will be required for the due performance of each Contract, and no reason will be assigned for the rejection of any Tender.

J. H. BURKE, Captain,  
Mint Engineer.

Bombay, Mint Engineer's Office,  
5th January 1852.

## Notice

Is hereby given, that verbal offers will be received at this Office, at 12 o'clock, on Monday the 19th proximo, for the supply, for the periods specified, of the undermentioned Provisions, Country Medicines, and Miscellaneous Articles, for the use of the European Troops and Departments at Poona and Kirkee. Lists of the Articles required may be seen, and all necessary information connected therewith obtained, on application at this Office, any day from 10 to 5 o'clock, Sundays excepted.

For eleven months from 1st February 1852.

- No. 1, For Bread, Biscuit, &c.  
No. 2; For Beef, Mutton, &c.  
No. 3, For Tea, Coffee, and Sugar, as per Muster.

The Contracts for Provisions in the above three Lists will be applicable to Hospitals also.

- No. 4, For Rice, Salt, and Wood, as per Muster.

The Contract for Provisions in the above List will be applicable to Hospitals also, from 1st April 1852.

- No. 5, For Arrowroot, Barley, Europe, and Sago, as per Muster.

For one year and eleven months from 1st February 1852.

- No. 6, For Country Medicines.  
No. 7, For Hospital and Office Furniture.  
No. 8, For Miscellaneous Articles.

The Lists exhibit the current selling rate of every Article in Company's Rupees. Each Contract will be put up for competition separately, and persons coming forward will be required to bid for the supply of all Articles in the Lists referred to, at a per-centage above or below the said rates, as the case may be, and on the understanding that the supplies are to be delivered free of any

expense beyond the stipulated price, in the first instance at the Commissariat Stores, and afterwards to the Departments requiring them, either at Poona or Kirkee.

No person will be permitted to bid for any of the Contracts who has not previously deposited in this Office the sum stated opposite each List respectively, which sum will be forfeited in the event of delay, evasion, or refusal to execute the necessary Deed of Contract, should his offer be accepted, and in case of such acceptance, he must be prepared to furnish approved bonded Security to the further amount stated, which, together with the above-mentioned deposit, will be held as guarantee for the due fulfilment of every part of the Contract.

	Deposit before bidding.	Bonded Security on acceptance of any offer.
For List No. 1, Co.'s Rs.	3,415	Co.'s Rs. 13,660
" " 2,	3,000	12,000
" " 3,	2,465	9,860
" " 4,	1,270	5,080
" " 5,	15	60
" " 6,	20	80
" " 7,	50	200
" " 8,	215	860

The Contractors must comply with all demands without delay or demur; the supplies must be unexceptionable, and of the best quality of the sorts described in the Lists: if not approved of by the Commissariat Executive Officer, or Indenting Officers, they will be rejected, and others will be purchased, wherever procurable, at their risk and loss, and in all such cases the Contractors will be liable to be fined (50) Fifty Rupees or (30) Thirty per cent. on the amount of expenses so incurred, at the option of the Executive Commissariat Officer; but Contractors, if dissatisfied with the decision of the above Officers, or either of them, can claim to have the rejected Articles examined by a Committee of Officers, whose decision thereupon shall be final.

The annual outlay on account of the above Contracts is estimated as follows, viz:—

No.	Rs.
1	68,330
2	60,017
3	49,304
4	25,405
5	341
6	414
7	1,017
8	4,352

Sums retrenched by the Military Board will be recovered from the first Bills subsequently presented for payment by the Contractors; if such retrenchments are afterwards remitted, the amount will be refunded.

Any person who, after offering for a Contract, fails to furnish the necessary Security, will be interdicted from bidding on future occasions, unless he can produce a certificate from individuals of unexceptionable character and sufficient means, binding themselves to stand security for the due execution and fulfilment of the proposed Contract.

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

G. POPE, Captain,  
Assistant Commissary General P. D. A.

Poona, Commissariat Office,  
30th December 1851.

### Notice.

Verbal Tenders will be received at this Office, on Monday, the 19th January 1852, at 12 o'clock, for executing by Contract the undermentioned works:—

Reports and Estimates of the quantity of labour and materials to be expended, also the form of Contract to be entered into, will in the mean time remain open for inspection, copies of which may be taken, and any additional information obtained.

A deposit of 2 per cent. will be required from the lowest bidder, to be forfeited in case of any evasion or delay in signing the Deed of Contract.

#### Works.

- Lot 1st Annual repairs to the Public Buildings occupied by Troops, &c. in Fort George, for 1852.
- " 2nd Ditto ditto in the Castle do.
- " 3rd Ditto ditto in Garrison do.
- " 4th Ditto ditto at Colaba do.
- " 5th Ditto ditto at Out-posts do.
- " 6th Ditto ditto on the Esplanade do.
- " 7th Annual repairs to the Public Buildings in the General Department on Colaba, with the repairs in the Ecclesiastical Department for 1852.
- " 8th Ditto ditto in the Fort for do. with ditto.
- " 9th Ditto ditto at Out-posts for do. with ditto.
- " 10th Ditto ditto on the Esplanade with ditto.
- " 11th Annual Repairs to the Public Buildings in the Judicial Department for 1852.
- " 12th Ditto ditto in the Marine Department or Colaba, for 1852.
- " 13th Ditto ditto in the Fort do.
- " 14th Ditto ditto on the Esplanade do.
- " 15th Ditto ditto at Out-posts do.
- " 16th Annual repairs to the Buildings in the Territorial Department in the Fort, for 1852.
- " 17th Ditto ditto on the Esplanade do.
- " 18th Ditto ditto at Out-posts do.
- " 19th Ditto ditto to the Government House and Buildings at Parell, for 1852.
- " 20th Ditto ditto at Malabar Point do.

J. ESTRIDGE, Captain,  
Garrison Engineer,  
and Civil Architect at the Presidency.  
Civil and Military Departments,  
Garrison Engineer and Civil Architect's Office,  
Bombay, 20th December 1851.

જાહેર નામું

એહુવુને નીચે લખેલાં કાંમો ઇંજીનરી ક  
રવા વીજેના મુખનાની અરજા તારી  
મ ૧૯ ની જાહેવારી શંને ૧૮૫૨ જાનવારને  
દીને ખાર વાગતે મુખ ઇંજીનરી શંને ઇંજીની  
અર તથા શીવીલ આરકીટેકરની કચેરીનાં  
શાંલકી લેજે \*

રપોર તથા શાંમાન તથા મજુરી ફેરફારી  
લાગજે તેના અજનાએજની ઇંઆદી તથા ઇં  
જીનરી કાગલનો મુશદા દરનીઆં ના  
વાચાર ઊઘાડા રેહુજે તથા તેની નકલ ના

धनी होयतो तेपण देवा देय तथा पीणु  
कांथं पुषुध होयतो तेपण भाळं मथायै \*

न शरवथी कमी आकडा येालय तेथे दर  
शेकडे टका (२) ये परभांणे अवेळ आनां  
मत रामवा नाथंय ते अवेळ धंनराणा  
कागल ठीपर मडी करवा आनाकांणी अथवा  
धील करेथी शरकार दामल थायै \*

लाट

कांनि

- १ दुगरीकीलानांनी शरकारा अमारतभां  
शीपाथं वीगरे रेडुछे ते अमारतानी  
शंने १८५२ नी दर शालनी मरामत \*
- २ कीलानांनी अंनंन अंनंन \*
- ३ गारीशंननांनी अंनंन अंनंन \*
- ४ कुलायानांनी अंनंन अंनंन \*
- ५ पार टकांणीनी अंनंन अंनंन \*
- ६ कांप ठीपरनी अंनंन अंनंन \*
- ७ कुलायानांना नंनराळ डीपारटमेनट  
नांनी तथा अंकलीछ अंशरीकाळ डी  
पारटमेनटनांनी मरामत \*
- ८ कीलानांनी अंनंन अंनंन \*
- ९ पार टकांणीनी अंनंन अंनंन \*
- १० कांप ठीपरनी अंनंन अंनंन \*
- ११ णुडीशीयाळ डीपारटमेनटभां  
नी अंनंन अंनंन \*
- १२ मरीन डीपारटमेनटनांनी अथवा कुला  
यानांनी अंनंन अंनंन \*
- १३ कीलानांनी अंनंन अंनंन \*
- १४ कांप ठीपरनी अंनंन अंनंन \*
- १५ पार टकांणीनी अंनंन अंनंन \*
- १६ कीलानांना टेरिटेरीयाळ डीपारटमे  
नटनांनी अंनंन अंनंन \*
- १७ कांप ठीपरनी अंनंन अंनंन \*
- १८ पार टकांणीनी अंनंन अंनंन \*
- १९ परेळनांना शरकारा वाडानी तथा धं  
मारतनी मरामत
- २० वाळकेशरनांनी अंनंन अंनंन \*

नीशाणी

न.—अंशरीडळ, कपतान.

मुंयधंनो गारीशंन धंनछनीअर त  
था शीवील आरकीरेकट \*

तारीय २० नी माडे डीशंनयार शं  
ने १८५१ धंयवी सुा. मुंयधं गारी  
शंन धंनछनीअर तथा शीवील आ  
रकीरेकटनी कचेरी—शीवील तथा  
नीकीरेरी डीपारटमेनट \*

A. RICHARDSON, Depy. Secy. to Govt.

### जाह्यूर नामा

ऐसाजे खालें लिहिलेलीं कामें सन्धानी करण्याविषीचे सुख  
जवानो अजे तारीख १९ जानेवारी सन १८५२ सोमवारचे  
रोजी बारावाजतां मुंबई येथील ग्यारोसन इंजिनियर व शिवील  
अर्कीटेकटचे कचेरीत ऐकुन घेतोळ.

रपोट व सामान व मजुरी किती लागेल त्याचे आकाराचा  
यादी व सन्धाचे कामदाचा ससुदा दरमान पाचाय्यास उघडा  
राहाल व त्याच्या नकला पाहजे असल्यास घेव देतोळ व दुसरे  
कांची पुणजे असल्यास तेंदो मालुम चोर्डल.

जो सवोदन कमी बेरोज बोलेल त्याणे दर शेकडा टके २ प्र  
माणे एवज अमानत देवला पाचिजे तो एवज सन्धाचे खताव  
र सन्धो करण्यास टाळाटाळ अथवा विलंब केल्यास सरकार  
दाखल चोर्डल.

लाट

कामें

- १ डंगरो कोला येथील सरकारा इमारतींत सोपाद वगैरे  
राहातात त्या इमारतींचो सन १८५२ चो दरसा  
लचो मरामत.
- २ कोळ्यातोळ किता किता
- ३ ग्यारोसन येथील किता किता
- ४ कुलावा येथील किता किता
- ५ बाचेर ठोकणातोळ किता किता
- ६ कापावरोळ किता किता
- ७ कुलावा येथील जनरल डिपार्टमेंटातोळ व एकली जो  
आसटाकल डिपार्टमेंटातोळ किता किता
- ८ कोळ्यातोळ किता किता
- ९ बाचेर ठोकणातोळ किता किता
- १० कापावरोळ किता किता
- ११ बुडिशोयल डिपार्टमेंटातोळ किता किता
- १२ मरान डिपार्टमेंटातोळ अथवा कुलावा येथील किता किता
- १३ कोळ्यातोळ किता किता
- १४ कापावरोळ किता किता
- १५ बाचेर ठोकणातोळ किता किता
- १६ कोळ्यातोळ टेरोटोरोयल डिपार्टमेंटातोळ किता किता
- १७ कापावरोळ किता किता
- १८ बाचेर ठोकणातोळ किता किता
- १९ परळयेथील सरकारो वाचाचो व इमारतींचो किता किता
- २० वाळकेशर येथील किता किता

निशाणी

जे. एलोज. कपतान

मुंबई येथील ग्यारोसन इंजिनियर  
व शिवील आर्कीटेकट

तारीख २० माचे डिसेंबर सन १८५१ दसवो सुक्रा मुंबई  
ग्यारोसन इंजिनियर व शिवील आर्कीटेकटचो कचेरी  
शिवील व सोलटरो डिपार्टमेंट.

A. RICHARDSON, Depy. Secy. to Govt.

### Notice

Is hereby given, that persons desirous of enter-  
ing into a Contract for the supply of Office and  
Hospital Furniture, &c. to the Commissariat De-  
partment at the Presidency, and for such other  
purposes as may from time to time be required,  
for the term of two years from the date of the  
acceptance of the offer, may, on application at this  
Office, from 10 A. M. till 5 P. M. daily (Sundays  
and Holidays excepted) obtain a list of prices,  
and such other information relating thereto as  
may be required.

Verbal offers for the Contract will be received  
at this Office at 2 o'clock P. M. on Friday the 16th  
proximo, when persons will be required to bid a  
percentage above or below the prices exhibited in  
the above-mentioned list, on the understanding  
that the articles to be supplied under this Con-  
tract are 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  
number or quantity as may from time to time be

demand, and that the same will be liable to examination and rejection by a Committee of Officers, appointed on the part of Government.

The person or persons whose offer 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 period 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 of Furniture, &c., or such other as may be required in lieu thereof, shall be purchased by this Department, without reservation, at his or their risk and loss, 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, may 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 person will be allowed to bid for the Contract unless he previously deposits in this Office the sum of Rupees (1,037) one thousand and thirty seven, in cash, which will be forfeited in the event of delay, evasion, or refusal to execute the necessary Deed of Contract, should his offer be accepted, in which latter case he must be prepared to give unexceptionable bonded security, to the extent of Rupees (4,149) four thousand one hundred and forty-nine, to be held by Government for the due fulfilment of his Contract.

It is to be distinctly understood that Bills for the quantities of articles included in the above-mentioned List supplied shall be preferred within or before the expiration of one month from the date of 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 on the Contractor's Bills will be recovered from the first Bills preferred 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 offering for the Contract fail to furnish the necessary security, will be interdicted from bidding 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 (20,749) thereabouts. All further particulars will be communicated on application at this Office, or at the time of bidding, and no reason will be assigned for the rejection of any offer.

Particular notice is given, that the above Sale will take place on the date stated, at 2 o'clock P. M. precisely, and that any person attending after that hour will not be allowed to bid.

E. WHICHELO, Captain,  
Deputy Commissary General.

Bombay, Deputy Commy. Genl.'s Office,  
30th December 1851.

## Notice

Is hereby given, that Verbal Tenders will be received at this Office, at Noon, on Friday the 13th February next, for supplying cleaned Gram and Mutt to the Commissariat Department at Poona and Kirkee, from the 1st March 1852 to the 28th February 1853.

The Grain must be of unexceptionable quality, of the description usually furnished to this Department, and delivered daily, free of expense beyond the stipulated price, into the Commissariat Stores, or at the Cavalry or Horse Artillery Lines, at Poona or Kirkee, as may be ordered. If any Grain tendered is considered objectionable by the Executive Commissariat Officer, or the Indenting Officers, and is not immediately exchanged by the Contractor, the required quantity will be purchased at his risk, and in every such instance he will be liable to be fined (50) fifty Rupees, or (30) thirty per cent. on the amount of the expenses so incurred, at the option of the Executive Commissariat Officer; but the Contractor, if he thinks that the rejected Grain ought to have been received, can claim to have it examined by a Committee of Officers, whose decision thereon shall be final.

The Contract will only extend to Poona and Kirkee, but in the event of any of the mounted Corps, or public Cattle moving, the Contractor must supply one month's Grain for use on the march, if required.

Biddings for the Contract will be in the Company's Rupee. No person will be permitted to bid who has not previously deposited in this Office Rupees (3,160) three thousand one hundred and sixty, which sum will be forfeited in the event of delay, evasion, or refusal on the part of any bidder to execute the necessary Deed of Contract, when required to do so, in the event of his offer being accepted. Bonded Security to the further amount of Company's Rupees (12,640) twelve thousand six hundred and forty, in addition to the above-mentioned deposit, will also be required, previous to the execution of the Contract, and the whole will be held as a guarantee for its due fulfilment.

Sums retrenched by the Military Board will be recovered from the first Bill subsequently presented for payment by the Contractor; if such retrenchments are eventually remitted the amount will be refunded to him.

The annual outlay on account of the Contract is estimated at Rupees 63,206, viz:—

For Gram, Rupees 62,290; and for Mutt, Rupees 916.

Persons who, after offering for the Contract, fail to furnish the necessary Security, will be interdicted from bidding 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.

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

Further particulars will be made known on application at this Office, any day from 10 to 5 o'clock, Sundays excepted.

G. POPE, Captain,  
Assistant Commissary General, P. D. A.

Poona, Commissariat Office,  
17th December 1851.

GENERAL REGISTER of Sums deposited in the Military Department, on account of the Estates of deceased Native Officers and Sepoys, &c. (under the General Orders of Government dated 3rd July 1823,) from 1st May to 31st October 1851.

When deposited.	By whom deposited.	Where deposited.	On account of whose Estate.	Of what Troop or Company.	When Died.	Of what Regiment.	Amount.	Total.	Grand Total.
							<i>Rs. a. p.</i>	<i>Rs. a. p.</i>	<i>Rs. a. p.</i>
			<i>Half year ending 31st October 1851.</i>						
1851 June 11th	Lieut. F. W. Mackenzie, Paymaster 8th Regt. N. I.	Presidency Pay Office ....	Private Soobannac Peernac .. ..	5th Company	Jan. 18th 1849.	8th Regt. N. I.	10 5 8		
			„ Rustom Sonar .. ..	„ „	July 26th „	„	137 7 2		
			„ Madar Buckus .. ..	1st „	Feb. 16th 1850.	„	13 12 4		
			„ Ramdeen Aheer .. ..	6th „	April 14th „	„	23 1 0		
			„ Dawpel .. ..	2nd „	June 4th „	„	61 11 5		
			Naique Mehelall .. ..	5th „	„ 6th „	„	15 0 7		
			Private Ramdayal Tewaree .. ..	Lt. „	Aug. 12th „	„	39 8 10		
								300 15 0	
			„ Cassoo Tummollee .. ..	5th „	Feb. 28th 1849.	14th „	87 0 0		
			„ Ram Sahan Doobay .. ..	Lt. „	Mar. 2nd „	„	22 6 1		
			„ Warree Aheer .. ..	3rd „	„ 10th „	„	120 8 7		
„ 18th	Ensign G. S. Mills, Acting Paymaster 14th Regt. N. I.	Ditto .. .	„ Deen Dayal Tumbolie .. ..	5th „	June 1st „	„	22 11 3		
			„ Ram Deen Guderya .. ..	1st „	Jan. 10th 1850.	„	38 8 0		
			„ Gopal Powar .. ..	5th „	„ 24th „	„	17 13 10		
			„ Ram Jadow .. ..	Lt. „	Dec. 4th „	„	6 9 7		
								315 9 4	
„ 21st	Lieut. W. B. Gray, Paymaster Marine Battalion.	Ditto .. .	„ Goolmer Khan .. ..	10th „	June 8th „	Marine Battalion .. .		71 3 3	
			Luxmee, Widow of the late Candojee. .. .		Nov. 21st 1849.	Pension Estab. .. .	2 1 7		
			Private Buya Syeb .. ..		Mar. 2nd 1850.	„ .. .	3 11 4		
July 12th	Captain S. Parr, Fort Adjutant ..	Ditto .. .	„ Abdoola Cawn .. ..		Nov. 5th „	„ .. .	4 1 4		
			„ Ragojee Salvie .. ..		Oct. 17th „	„ .. .	5 0 0		
			„ Amnac Pudnac .. ..		„ .. .	„ .. .	14 0 0		
			Naique Ninnac Sutnac .. ..		July 26th 1850.	„ .. .	7 5 5		
								36 3 8	
„ 18th	Lieut. W. B. Gray, Paymaster Marine Battalion.	Ditto .. .	Private Gonnac Tannac .. ..	2nd Company	June 20th 1848.	Marine Battalion .. .	13 5 0		
			„ Imaum Buccus .. ..	5th „	Sept. 30th 1847.	„ .. .	24 8 0		
								37 13 0	
Aug. 7th	Captain H. Pelham, Commanding Detachment N. V. Battalion.	Ditto .. .	„ Bodee Sing .. ..	2nd „	June 5th 1850.	N. V. Battalion .. .		14 4 2	
								776 0 5	
						Carried forward .. . Rs.			



			{	Havildar Nunkoo Sing .. ..	2nd "	Nov. 21st 1849.	5th Regt. N. L. I.	46 0 6			
				" Ballojee Jadow.. ..	7th "	July 19th 1850.	"	72 13 3			
				Sepoy Seetul Sing. .. ..	1st "	Nov. 30th "	"	81 7 8			
				" Neelojee Cuddum. ..	7th "	Mar. 30th "	"	72 5 8			
"	"	Captain Wardell, Commanding	Pay Office Scinde D. A.	" Paud Sawant .. ..	" "	April 17th "	"	27 9 8			
		5th Regt. N. L. I.		" Nunda Ahir .. ..	8th "	Jan. 7th "	"	89 9 0			
				" Bhowun .. ..	7th "	Nov. 27th "	"	38 9 11			
				" Bultawne Sing .. ..	" "	Dec. 26th "	"	65 14 1			
				" Ramdeen Sing .. ..	Rt. F. "	Nov. 23rd "	"	58 12 8			
				" Camulnac Bhurnac ..	" "	Dec. 21st "	"	28 13 9			
										582 0 2	
July	4th	Lieut. Gordon, Paymaster 1st Grenadier Regt. N. I.		Ditto. ..	Color Havildar Soomer Sing..	4th "	April 13th "	1st Gr. Regt. N. I.	19 9 5		
					Sepoy Deesmun Moorie ..	5th "	Nov. 7th "	"	36 14 5		
					" Kalay Khan .. ..	6th "	Mar. 8th "	"	1 6 0		
									57 13 10		
"	7th	Lieut. G. W. Harding, Paymaster 2nd Grenadier Regt. N. I.	Ditto. ..	" Kalkah Ahir .. ..	7th "	Mar. 22nd "	2nd "	34 4 0			
					" Nund Ram.. ..	Rt. F. "	May 5th "	"	68 10 10		
					" Birai .. ..	1st "	Aug. 15th "	"	63 1 5		
									166 0 3		
"	11th	Lieut. J. D. Williams, Paymaster 28th Regt. N. I.	Ditto. ..	Naique Ramsayee Bhat .. ..	3rd "	Dec. 1st 1849.	28th Regt. N. I.	55 7 8			
					Sepoy Buldie Tewaree.. ..	Lt. "	Sept. 21st "	"	78 3 8		
					" Chundeeden Doobay. ..	1st "	April 6th 1850.	"	58 7 8		
					" Ram Saroop Sookul ..	2nd "	March 28th "	"	46 6 1		
									238 9 1		
"	3rd	Captain F. Follett, Brigade Major, Kurrachee.	Ditto. ..	" Dondnac Goonac. ..		Feb. 28th "	4th "	28 4 3			
					" Bhona Sing .. ..		" "	"	6 10 0		
					" Jooda Katchee .. ..		Jan. 24th 1851.	29th "	156 6 7		
									191 4 10		
"	14th	Lieut. W. G. Mainwaring, Paymaster 1st Belooch Battalion.	Ditto. ..	" Russallad .. ..	6th Company	Jan. 4th 1850.	1st Belooch Batt.	0 14 5			
					" Shaik Bumbad .. ..	Gr. "	Feb. 13th "	"	3 4 0		
					" Raiman Khan .. ..	" "	Oct. 6th "	"	4 5 8		
					" Totee Khan. .. ..	1st "	Jan. 1st 1851.	"	35 4 2		
					Drummer Faidad Khan ..	2nd "	March 11th 1850	"	2 7 9		
				Bhcestie Shewah .. ..	1st "	Oct. 12th "	"	101 14 5			
									148 2 5		
"	8th	Ensign J. Watson, Acting Paymaster 2nd Belooch Battalion.	Ditto. ..	Sepoy Allum Khan .. ..		Dec. 19th 1846.	2nd "	7 4 8			
					" Subber Khan .. ..		Jan. 27th 1847.	"	4 1 6		
					" Pallary Khan .. ..		March 27th "	"	7 4 6		
					" Boolah Khan .. ..		April 3rd "	"	22 1 8		
					" Peer Khan.. ..		June 21st "	"	0 14 9		
					" Mahomed Khan .. ..		Aug. 19th 1847.	"	2 5 2		
				" Meetah Khan .. ..		" 29th "	"	5 14 9			

Carried forward....Rs. 49 15 0 1383 14 7 2211 5 2

When deposited.	By whom deposited.	Where deposited.	On account of whose Estate.	Of what Troop or Company.	When Died.	Of what Regiment.	Amount.	Total.	Grand Total.
							<i>Rs. a. p.</i>	<i>Rs. a. p.</i>	<i>Rs. a. p.</i>
					Brought forward . . . . .	Rs.	49 15 0	1383 14 7	2211 5 2
			Sepoy	Moolabad Khan . . . . .	Sept. 13th 1847.	2d Belooch Batt.	7 7 7		
			"	Assim Khan . . . . .	Oct. 22nd "	"	0 15 5		
			"	Fukeer Mahomed Khan . . . . .	Sept. 10th "	"	1 4 6		
			"	Soomer Khan . . . . .	Nov. 4th "	"	6 13 11		
			"	Soobdat Khan. . . . .	" 3rd "	"	4 13 5		
			"	Joomah Khan. . . . .	" 10th "	"	2 12 4		
			"	Assim Khan . . . . .	" 23rd "	"	10 13 4		
			"	Mahomed Khan . . . . .	" 29th "	"	9 1 0		
			"	Nubbee Bux . . . . .	Dec. 3rd "	"	5 11 9		
			"	Buckoo Khan . . . . .	" 23rd "	"	1 15 5		
			"	Shaik Mungle. . . . .	Jan. 2nd 1848.	"	7 9 2		
			"	Nuseeb Khan. . . . .	" 17th "	"	5 13 11		
			"	Mahomed Khan . . . . .	Feb. 6th "	"	5 10 8		
			"	Ahmed Khan . . . . .	April 14th "	"	7 7 3		
			Naique	Joomah . . . . .	" 21st "	"	12 3 4		
			Sepoy	Allah Ditta Khan . . . . .	" 14th "	"	2 4 3		
			"	Sewdeen Sing. . . . .	" 16th "	"	27 3 9		
			"	Vullee Mahomed . . . . .	" 13th "	"	1 3 6		
			"	Soltan Khan . . . . .	" 27th "	"	5 1 9		
			"	Ramzan Khan. . . . .	May 13th "	"	4 7 11		
			Drummer	Nubbee Bux . . . . .	June 19th "	"	5 15 9		
			Sepoy	Kumal Khan . . . . .	Aug. 22nd 1850.	"	4 6 6		
			"	Medad Khan . . . . .	" 14th "	"	5 6 0		
			"	Maroof Khan . . . . .	Sept. 6th "	"	6 3 10		
			"	Jan Mahomed . . . . .	" 13th "	"	6 13 6		
			"	Meerdad Khan . . . . .	" 22nd "	"	3 3 7		
			"	Tingoor Seedee . . . . .	Oct. 8th "	"	5 0 0		
			"	Sulseera Khan . . . . .	" 11th "	"	3 14 4		
			"	Ali Moorad . . . . .	" 27th "	"	11 0 0		
			"	Maji Khan . . . . .	" 27th 1848.	"	9 13 7		
			"	Deel Jan Khan . . . . .	" 28th "	"	4 6 1		
			"	Gows Khan . . . . .	Nov. 10th "	"	16 6 6		
			"	Attum Khan . . . . .	Jan. 19th 1849.	"	6 3 1		
			"	Alli Ham . . . . .	" 22nd "	"	2 8 7		
			"	Hydar Khan . . . . .	" 26th "	"	3 15 0		

1851  
July 8th Ensign J. Watson, Acting Paymaster 2nd Belooch Battalion.

Pay Office  
Scinde D.  
A.



			Recruit Boy Koostnaje Gho-shalkur.. .. .		March 28th "		14 15 0	
			Private Doorgah Sonia .. ..	5th Company	Sept. 4th "		37 3 1	
			" Sugoodeen Doobay .. ..	Gr. "	Nov. 11th "		53 1 10	
			" Sookah .. ..	" "	" 16th "		46 4 5	
			" Jheengun. .. ..	Lt. "	Jan. 5th 1848.		69 14 9	
			" Jokhoo Sing .. ..	5th "	Feb. 21st "		24 3 10	
			" Kessree .. ..	Gr. "	April 19th "		22 0 8	
			" Ramdeen .. ..	" "	Jan. 20th 1849.		58 10 1	
			" Moortoojah Khan .. ..	7th "	Mar. 19th "		39 3 10	
			" Jurbundhun .. ..	Lt. "	" 21st "		181 8 9	
			" Bissoonath Sing. .. ..	1st "	May 4th "		17 5 1	
			Havildar Doorga Sing .. ..	8th "	" 16th "		178 11 5	
			Private Adhar Pursad .. ..	6th "	Nov. 29th "		68 11 9	
			" Rughbur Tewary .. ..	8th "	Dec. 14th "		60 14 11	
			" Veeraswamy .. ..	7th "	Jan. 27th 1850.		79 3 1	
			" Daibie .. ..	5th "	July 17th "		153 7 11	
			" Mankhune .. ..	Gr. "	" 24th "		75 13 9	
			" Sewden Doobay .. ..	" "	Dec. 21st "		40 9 4	
			" Buldee Sing .. ..	3rd "	Mar. 18th 1848.	11th "	105 2 2	1966 5 4
			" Lalla Kachee .. ..	7th "	May 9th "	" "	73 6 10	
			" Narnac Lucknac .. ..	3rd "	Aug. 8th "	" "	17 11 4	
			" Gheesa Burrue.. ..	Gr. "	May 14th 1849.	24th "	38 7 5	196 4 4
			" Kunnai Burraie.. ..	4th "	Nov. 12th "	" "	69 2 7	
			" Sooba Moorai.. ..	7th "	" 13th "	" "	12 14 9	
			" Rambuccus Panday.. ..	3rd "	Jan. 23rd 1850.	" "	28 12 0	
			" Gunnesh Ram Tewary. Gr. "	" "	Mar. 4th "	" "	66 2 7	
			" Babajee Sawunt .. ..	Unposted Recruit	Jan. 9th 1847.	27th "	4 15 9	215 7 4
			" Govind Jadow .. ..	" "	Feb. 18th "	" "	7 6 9	
			" Ragojee Towday .. ..	" "	" "	" "	9 0 9	
			" Jurakhun Doobay .. ..	8th Company	July 1st 1848.	" "	53 5 11	
			" Ragoba Rawunkur .. ..	5th "	Nov. 15th "	" "	7 12 7	
			" Atma Gopaul .. ..	1st "	Feb. 11th 1849.	" "	26 7 4	
			" Mullaree Naik .. ..	2nd "	May 25th "	" "	1 9 1	
			" Urjoon Chundrojee .. ..	6th "	Jan. 26th "	" "	6 12 11	
			" Appa Paooskur.. ..	" "	June 30th "	" "	27 4 2	
			" Tannoo Larr .. ..	8th "	July 13th "	" "	10 12 1	
			" Gunnesh Aheer .. ..	6th "	Aug. 8th "	" "	84 13 4	
			" Raglox Kumboa .. ..	7th "	April 28th 1850.	" "	65 4 10	
								305 9 6
								2683 10 65087 4 0

\* Since paid on the 15th October 1851.

Carried forward....Rs.....2683 10 65087 4 0

When deposited.	By whom deposited.	Where deposited.	On account of whose Estate.	Of what Troop or Company.	When Died.	Of what Regiment.	Amount.	Total.	Grand Total.
1851									
Sept. 16th	Lieut. Harris, Paymaster 3rd Battalion Artillery.	Pay Office } Poona D. } A.	Private Girwan Oopada. . . . .	Driver Dhondee Salar . . . . .	Brought forward . . . . . Unknown . . . . . " . . . . .	3rd Batt. Art.	Rs. a. p. 5 5 10 21 11 11	Rs. a. p. 2683 10 6	Rs. a. p. 5087 4 0
May 14th	Major E. Walter, Commanding 3rd Regt. Light Cavalry.	Pay Office } N. D. A. }	Trooper Shaik Ellaebux. . . . .	" Sewdeen Sing . . . . .	Oct. 27th 1850. Jan. 4th 1851.	3rd Regt. L. C.	35 9 0 32 9 0	27 1 9	2710 12 3
June 14th	Captain F. F. Taylor, Commanding 3rd Regt. Light Cavalry.	} Ditto. . .	" Rambux Doobay. . . . .		April 6th "	"		47 3 3	
			Private Davee Wheer . . . . .	Recruit . . . . .	Jan. 6th 1847.	12th Regt. N. I.	6 12 3		
			" Seetul Oopadia . . . . .	7th Company.	Mar. 3rd 1848.	"	6 10 0		
			" Daveedeeu Corie. . . . .	3rd "	" 8th "	"	49 3 0		
			" Ramchurn Panday . . . . .	8th "	Aug. 22nd "	"	7 6 0		
			" Daveedeen Oopadhia. . . . .	Lt. "	May 1st 1849.	"	97 13 8		
			" Bhowaneebux Loodh. . . . .	6th "	" 17th "	"	66 8 5		
			Havildar Muchnel Uheer . . . . .	2nd "	June 29th "	"	21 4 0		
			Private Emamoodeen Khan . . . . .	5th "	July 25th "	"	3 0 0		
			Bhistee Gunnoojee Moreea . . . . .	6th "	" 31st "	"	14 2 0		
			Private Gonnac Gunnac. . . . .	" "	Aug. 15th "	"	14 13 8		
			" Ramrutton Sing. . . . .	Gr. "	Nov. 12th "	"	20 6 9		
			" Sewdut Sing. . . . .	2nd "	Feb. 4th 1850.	"	53 6 0		
			" Seetul Gundaria. . . . .	4th "	" 10th "	"	50 4 3		
			" Ramdial Sing . . . . .	6th "	Mar. 18th "	"	43 10 2		
			" Ramjee Jadow . . . . .	5th "	" 21st "	"	67 10 9		
			" Modnac Bhognac . . . . .	2nd "	" 27th "	"	20 2 2		
			" Bheekajeerow Sooriea. . . . .	1st "	" 29th "	"	26 0 6		
			" Ramjeerow Chowan . . . . .	4th "	April 4th "	"	53 8 9		
			" Illoojeerow Scinday . . . . .	" "	" 8th "	"	35 8 4		
			" Seetadeen Budhie . . . . .	5th "	" 13th "	"	39 13 11		
			" Daveedeen . . . . .	" "	" 25th "	"	45 9 7		
			" Ramnac Balnac. . . . .	8th "	May 7th "	"	25 15 11		
			" Babajee Bagwa. . . . .	1st "	" 16th "	"	28 12 2		
			" Luximon Passee. . . . .	7th "	June 8th "	"	14 0 0		
								812 6 3	



When deposited.	By whom deposited.	Where deposited.	On account of whose Estate.	Of what Troop or Company.	When Died.	Of what Regiment.	Amount.	Total.	Grand Total.
						Brought forward . . . . Rs.	Rs. a. p.	Rs. a. p.	Rs. a. p.
			Sepoy Ettookoree . . . .	3rd Company.	Mar. 26th 1849.	Camel Baggage Corps. . . . .	789 4 8	1741 2 6	2211 5 2
			" Moorad . . . .	1st "	Apr. 2nd "	"	8 11 4		
			" Adjoodia Persaud . . . .	"	Apr. 2nd "	"	13 14 9		
			" Jegnad . . . .	2nd Company.	May 12th "	"	67 11 6		
			" Shadee Khan . . . .	3rd "	Dec. 17th "	"	7 12 2		
			" Nutten Sing . . . .	2nd "	Feb. 6th 1850.	"	38 11 6		
			" Sewram . . . .	3rd "	Jan. 27th 1851.	"	20 14 2		
			" Gunga Passee . . . .	1st "	" 14th 1849.	"	149 9 0		
					June 14th 1850.	"	38 3 3		
								1134 12 4	
			Private Mattadeen . . . .	1st "	Nov. 20th 1843.	3rd Regt. N. I.	40 0 0		2875 14 10
			" Seetul . . . .	2nd "	May 13th 1846.	"	60 0 4		
			" Owsairy . . . .	8th "	June 14th "	"	15 6 4		
			" Baboo Koodkur . . . .	7th "	" 18th "	"	12 14 7		
			" Koostnajeel Dulvee . . . .	5th "	" " "	"	13 8 7		
			" Pandoo Bhoglay . . . .	3rd "	" " "	"	20 3 6		
			" Tannay Purub . . . .	Gr. "	" 19th "	"	23 0 5		
			" Sumbajee Thowray . . . .	6th "	" 20th "	"	20 7 5		
			" Ladojee Ackairkur . . . .	2nd "	" 21st "	"	22 11 8		
			" Naine Sing . . . .	8th "	" 22nd "	"	8 13 4		
			" Ranjee Jadow . . . .	7th "	" 23rd "	"	15 8 0		
			" Luxumon Dewoonday . . . .	6th "	" 24th "	"	18 1 9		
			" Kumber Hubsee . . . .	4th "	" 21st "	"	5 7 3		
			" Bhawoo Maghum . . . .	1st "	" 29th "	"	29 1 1		
			" Bhickoo Rannay . . . .	2nd "	" " "	"	25 3 9		
			" Kalay Khan . . . .	8th "	July 3rd "	"	23 13 4		
			" Bindab Deen . . . .	5th "	" 4th "	"	28 13 9		
			Bheesty Ittoo Ghollay . . . .	6th "	" 5th "	"	11 14 3		
			Private Ragnac Jannac . . . .	3rd "	" 7th "	"	21 15 8		
			" Bapoo Scinday . . . .	8th "	" 8th "	"	76 13 10		
			" Beeharee . . . .	Lt. "	Feb. 20th "	"	18 1 8		
			" Bunga Sing . . . .	6th "	Aug. 22nd "	"	206 2 6		
			" Matta Deen . . . .	8th "	Nov. 7th "	"	12 13 4		
			" Mark Bell . . . .	7th "	" 11th "	"	13 5 6		
1851 Oct. 9th	Major Maughan, Comdg. Scinde Camel Baggage Corps.	Pay Office Scinde D. A.							
June 19th	Lieut. Col. J. D. Hallett, C. B., Commanding 3rd Regt. N. I.	Pay Office Poona D. A.							

" 25th	Major S. Stevens, Commanding 21st Regt. N. I.	Ditto...	Private Byrow Selusker .. ..	" "	Nov. 13th 1848.	21st Regt. N. I.	24	4	3	602	10	6	
			Bhestic Rama Scindia .. ..	Gr.	" "	April 23rd 1849.	" "	213	10				0
			Private Buchoo Coree .. ..	4th	" "	July 1st "	" "	2	6				0
			" Hunseram Tewaree .. ..	1st	" "	Mar. 1st "	" "	6	8				0
			Subedar Mohukum Sing. .. ..	Gr.	" "	Dec. 20th "	" "	231	15				10
			Private Sooklall Aheer .. ..	8th	" "	" 5th "	" "	19	6				6
July 16th	Major G. Cooper, Commanding 7th Regt. N. I.	Ditto...	" Gunputrow Niccum .. ..	Lt.	April 10th 1850.	" "	34	3	6	25	5	10	
			" Bussunt Passee .. ..	3rd	" "	Unknown ..	" "	70	4				5
			" Narrayen Holker .. ..	1st	" "	Mar. 11th 1848.	7th "	18	3				9
" 18th	Lieut. Col. H. Macan, Commanding 17th N. I.	Ditto...	" Gungadeen 1st .. ..	8th	" "	July 20th 1850.	" "	3	12	1	334	1	8
			" Arjoon Sawunt .. ..	Lt.	" "	Jan. 12th 1849.	" "	3	6	0			
			" Purvoo Sing .. ..	8th	" "	Mar. 27th 1850.	17th "	39	4	10			
			" Foorshut Aheer .. ..	" "	" "	May 29th "	" "	18	13	1			
" 26th	Lieut. W. P. Pelly, Actg. Paymaster 10th Regt. N. I.	Ditto...	" Sewsunker Tewaree .. ..	2nd	" "	June 4th "	" "	155	0	6	224	11	5
			" Soobah Sing .. ..	6th	" "	" 12th "	" "	120	15	3			
			Sepoy Gungghah Aheer .. ..	1st	" "	Feb. 11th 1850.	10th "	55	11	6			
			" Gunggajee Seerkay .. ..	4th	" "	May 2nd 1849.	" "	24	10	0			
			" Ballaram .. ..	"	"	"	"	82	12	6			
" 31st	Major D. M. Scobie, Commanding 29th Regt. N. I.	Ditto...	" Balloo Mohatay .. ..	2nd Company	" "	April 17th 1850.	" "	29	4	0	129	12	2
			" Raggoo Sinday .. ..	6th	" "	June 1st "	" "	24	0	5			
			" Meerwan Sing .. ..	3rd	" "	Sept. 2nd "	" "	8	5	0			
			" Syud Ajum .. ..	5th	" "	Aug. 11th 1849.	29th "	44	8	9			
Aug. 12th	Lieut. W. Scott, Adj. 13th Regt. N. I.	Ditto...	" Mahomed Khan .. ..	" "	" "	Sept. 27th "	" "	50	1	5	97	13	0
			" Seewduyal Sing .. ..	Lt.	" "	Nov. 1st "	" "	35	2	0			
			" Lawoo Sing .. ..	A	" "	July 11th 1850.	13th "	72	13	0			
			" Baboo Suwelkur .. ..	B	" "	" 18th "	" "	25	0	0			
										2,342		2 1	
										Rupees.....10,140 2 4			

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Bombay Castle, Military Accountant's Office, 15th December 1851.

(ERRORS EXCEPTED)

C. PRICE,

Acting Military Accountant.

## Notice

Is hereby given, that Sealed Tenders for the Contracts for the exclusive privilege of selling Arrack and Country Liquor, and Intoxicating Drugs, (Ganjah, Opium, and Khuskhus), to the Native Troops and Camp Followers at Aden, the former for the term of one year and eight months, commencing from the 1st of June 1852, and the latter for a period of two years, from 1st February 1852 to 31st January 1854, will be received at the Office of the Superintendent of Bazars at this Station, and that of the Commissary General of the Army in Bombay, at 1 o'clock P. M. on Thursday, the 22nd January 1852, after which date and hour none can be received.

No person will be allowed to tender for the Contract unless he deposits with his offer the sum of Company's Rupees (1200) one thousand and two hundred for the Liquor, and (200) two hundred for the Drug Contracts, which will be forfeited in the event of delay, evasion, or refusal to execute the necessary Deed of Contract; and two unexceptionable Securities will also be required from the highest tenderers, to guarantee their fulfilment of the terms of the respective Contracts.

The Troops composing the Station are as follows, viz:—

- 3 Regiment P. Native L. I.
- E Company 5th Battalion Native Artillery.
- B and F Companies Sappers and Miners.
- Camp Followers attached to Corps and Detachments.

But if it so happens that any portion thereof be withdrawn before the date fixed for the sale of the Contracts, they shall be entered into for those actually present on that date.

No Liquors will on any account be allowed to be sold to any European Soldiers, or Europeans, without a written pass, bearing the signature of the Superintendent of Bazars.

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

The person or persons whose Tenders may be accepted will be required, ere entering on the performing of their Contracts, to deposit with the Superintendent of Bazars the amount of one month's stipulated payment, as his or their personal security for the due execution of the Agreements, this is to be in addition to the monthly payment in advance of the sums tendered for the Contracts.

The Contractor or Contractors will be allowed no drawback on account of scarcity, drought, &c.

The arrival in or departure out of the local limits of the said Command of Details of Troops shall not affect the liability of the said Contractor or Contractors, his or their Executors and Administrators, to perform these Contracts, nor shall such arrival or departure affect the rate to be paid by the said Contractor or Contractors, his or their Executors and Administrators, for the exclusive privilege, save as hereinafter mentioned, viz., that if during the existence of this Contract, Native Troops are located or drawn from the local limits of the said Command, exceeding in strength one-fourth the number of the Native Troops herein before specified, the amount payable by the said Contractor or Contractors, his or their Executors

and Administrators, for the said exclusive privilege, shall be increased or decreased, under orders by the Superintendent of Bazars, to such extent as a Committee of Officers, to be convened and nominated on the part of the Honorable East India Company, shall determine.

Further particulars relative to these Contracts will be made known on application at the Office of the Superintendent of Bazars at Aden, and that of the Commissary General of the Army at Bombay, from 10 o'clock A. M. until 5 o'clock P. M. daily, Sundays excepted, also at the time of receiving Tenders.

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

W. F. GORDON, Lieut.,  
Superintendent of Bazars and Police.

Supt. of Bazars and Police Office,  
Camp, Aden, 17th Nov. 1851.

FORT WILLIAM,  
HOME DEPARTMENT,  
— LEGISLATIVE,

the 5th December 1851.

The following Draft of a proposed Act was read in Council for the first time on the 5th of December 1851.

Act No. — OF 1851.

*An Act for improving and regulating the Streets, Roads, and Drains within the Town and Local Limits of Madras.*

Whereas many of the Streets, Thoroughfares, Drains, and Public Places within the Town and limits of Madras require to be widened and improved, and whereas it is expedient that better provision should be made for the removal of nuisances and obstructions within the said Town and limits, It is enacted as follows:

I. The Justices of the Peace acting within and for the said Town and limits of Madras, with the sanction of the Governor of Fort Saint George for the time being in Council, shall at all times have power and authority to require any lands within the said town and limits to be sold or given up, by all parties interested in such lands, for the purpose of widening, altering, or improving any existing public Road, Street, or other Thoroughfare or Drain, or for making any new public Road, Street, or other Thoroughfare or Drain.

II. When the said Justices shall require to purchase or take any of the lands which by this Act they are authorized to purchase or take, they shall give notice thereof in writing to all the parties interested in such lands, or to the parties enabled by this Act to sell and convey or release the same, or such of the said parties as shall, after diligent inquiry, be known to the said Justices, or their Surveyors, and by such notice shall demand from such parties the particulars of their estate and interests in such lands, and of the claims made by them in respect thereof; and every such notice shall state the particulars of the lands so required, and that the said Justices are willing to treat for the purchase thereof, and as to the compensation to be made to all parties for the damage that may be sustained by them by reason of the execution of the works.

III. All notices required to be served by the said Justices upon the parties interested in or entitled to sell any such lands, shall either be served personally on

such parties, or left at their last usual place of abode, if any such, after diligent enquiry, can be found, and in case any such parties shall be absent from the Presidency of Madras, or cannot, after diligent enquiry, be found, shall also be left with the occupiers of such lands, or, if there be no such occupier, shall be affixed upon some conspicuous part of such lands.

IV. It shall be lawful for the said Justices to agree with the owners of any lands by this Act authorized to be taken, and which shall be required for the purposes of this Act, and with all parties having any estate or interest in such lands, or by this Act enabled to sell and convey the same, for the absolute purchase, for a consideration in money, of any such lands, or such parts thereof as they shall think proper, and of all estates and interests in such lands of what kind soever.

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

VI. The purchase money or compensation to be paid for any lands to be purchased or taken from parties under any disability or incapacity, and not having power to sell or convey such lands, except under the Provisions of this Act, and the compensation to be paid for any permanent damage or injury to any such lands, shall not, except where the same shall have been determined by the verdict of a jury, be less than shall be determined by the valuation of two able practical surveyors, one of whom shall be nominated by the said Justices, and the other by the other party; and if such two Surveyors cannot agree in the valuation, then by such third Surveyor as the said Governor in Council shall, upon application of either party, after notice to the other party, for that purpose nominate; and each of such two Surveyors, if they agree, or, if not, then the Surveyor nominated by the said Governor in Council,

shall annex to the valuation a declaration in writing, subscribed by them, or him, of the correctness thereof; and all such purchase money or compensation shall be deposited with the Sub-Treasurer of the Government of Fort Saint George, with the privacy of the Accountant General of the said Presidency of Madras, for the benefit of the parties interested, in manner hereinafter mentioned.

VII. If, for twenty-one days after the service of such notice, any such party shall fail to state the particulars of his claim in respect of any such land, or to treat with the said Justices in respect thereof, or if such party and the said Justices shall not agree as to the amount of the compensation to be paid by the said Justices for the interest in such lands belonging to such party, or which he is by this Act enabled to sell, or for any damage that may be sustained by him by reason of the execution of the works, the amount of such compensation shall be settled in the manner hereinafter provided for settling cases of disputed compensation.

VIII. Before the said Justices shall issue their Warrant for summoning a Jury for settling any case of disputed compensation, they shall cause their Surveyor to value the lands required, and the said Surveyor, if the land is private property, or, being land of the East India Company, any substantial improvement shall have been made in the value thereof, shall cause an estimate to be made of such private property, or of any such improvement, and the said Justices shall then give not less than ten days' notice to the other party of their intention to cause such Jury to be summoned, and in such notice the said Justices shall state the sum of money at which the same has been valued as aforesaid, and which they are willing to give for the interest in such lands sought to be purchased by them from such party, and for the damage to be sustained by him by the execution of the works; and if such sum of money be accepted by such party, the same shall be paid to him on his executing a conveyance of the said lands as hereinafter mentioned.

IX. In every case in which any such question of disputed compensation shall be required to be determined by the verdict of a Jury, the said Justices shall issue their Warrant to the Sheriff, requiring him to summon a Jury for that purpose, and such Warrant shall be under the hands and seals of such Justices, or any two of them, and if such Sheriff be interested in the matter in dispute, such application shall be made to the Coroner of Madras, and every such Sheriff or Coroner shall have power, if he think fit, to appoint a deputy or assessor.

X. Throughout the enactments contained in this Act relating to the reference to a Jury, where the term "Sheriff" is used, the provisions applicable thereto shall be held to apply to every Coroner, or other person lawfully acting in his place.

XI. Upon the receipt of such Warrant, the Sheriff shall summon a Jury of twenty-four indifferent persons, duly qualified to act as petit jurymen in the Supreme Court of Judicature at Madras, to meet at a convenient time and place, to be appointed by him for that purpose, such time not being less than fourteen nor more than twenty-one days after the receipt of such Warrant, and such place not being more than eight miles distant from the lands in question, unless by consent of the parties interested, and he shall forthwith give notice to the Justices of the time and place so appointed by him.

XII. Out of the Jurors appearing upon such summons, a Jury of twelve persons shall be drawn by the Sheriff, in such manner as Juries for trials of issues joined in

Jury to be empannelled.

the Supreme Court of Judicature at Madras are by law required to be drawn, and if a sufficient number of Jurymen do not appear in obedience to such summonses, the Sheriff shall return other indifferent men duly qualified as aforesaid, of the bystanders, or others that can specially be procured, to make up the Jury to the number aforesaid, and all parties concerned may have their lawful challenges against any of the Jurymen, but no such party shall challenge the array.

XIII. The Sheriff shall preside on the said enquiry, and the party claiming compensation shall be deemed the plaintiff, and shall have all such rights and privileges as the plaintiff is entitled to in the trial of actions at Law, and if either party so request in writing, the Sheriff shall summon before him any person considered necessary to be examined as a witness touching the matters in question, and on the like request the Sheriff shall order the Jury, or any six or more of them, to view the place or matter in controversy, in like manner as views may be had in the trial of actions in the said Supreme Court.

XIV. If the Sheriff make default in any of the matters hereinbefore required to be done by him in relation to any such trial or enquiry, he shall forfeit five hundred Rupees for every such offence, and such penalty shall be recoverable by the said Justices by action in the Supreme Court of Judicature at Madras; and if any person summoned and returned upon any Jury under this Act, do not appear, or if appearing he refuse to make oath, or in any other manner unlawfully neglect his duty, he shall, unless he show reasonable excuse to the satisfaction of the Sheriff, forfeit a sum not exceeding one hundred Rupees, and every such penalty payable by a Sheriff or jurymen shall be applied by the said Justices in satisfaction of the costs of the enquiry, so far as the same will extend, or to the account of the assessment fund; and in addition to the penalty hereby imposed, every such jurymen shall be subject to the same regulations, pains, and penalties as if such Jury had been returned for the trial of an issue joined in the said Supreme Court.

XV. If any person duly summoned to give evidence upon any such enquiry, and to whom a tender of his reasonable expenses shall have been made, fail to appear at the time and place specified in the summons, without sufficient cause, or if any person, whether summoned or not, who shall appear as a witness, refuse to be examined on oath touching the subject matter in question, every person so offending shall forfeit to the party aggrieved a sum not exceeding one hundred Rupees.

XVI. Not less than ten days' notice of the time and place of the enquiry shall be given in writing by the said Justices to the other party.

XVII. If the party claiming compensation shall be resident within the said Presidency of Madras, and shall not appear at the time appointed for the enquiry, the Sheriff and the said Jury shall proceed in the said enquiry *ex-parte*, and the party claiming compensation shall be bound by such *ex-parte* proceedings, and the verdict and judgment recorded thereon, as if he had been present thereat.

XVIII. Before the Jury proceed to enquire of and assess the compensation or damage in respect of which their verdict is to be given, they shall make oath that they will truly and faithfully enquire of and assess such compensation or damage, and the Sheriff shall administer such oaths, as well as the oaths of all persons called upon to give evidence.

XIX. Where such enquiry shall relate to the value

Sums to be paid for purchase of lands and for damage, to be assessed separately.

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

XX. The Sheriff before whom such enquiry shall be held, shall give judgment for the purchase money or compensation assessed by such Jury, and the verdict and judgment shall be signed by the Sheriff, and being so signed shall be kept by the Clerk of the Peace among the records of the General or Quarter Sessions of the said Town of Madras, and such verdicts and judgments shall be deemed records, and the same or true copies thereof shall be good evidence in all Courts and elsewhere; and all persons may inspect the said verdicts and judgments, and may have copies thereof, or extracts therefrom, on paying for each inspection thereof eight annas, and for every one hundred words copied or extracted therefrom four annas, which copies or extracts the Clerk of the Peace is hereby required to make out, and to sign and certify the same to be true copies.

XXI. On every such enquiry before a Jury, where the verdict of the Jury shall be given for a greater sum than the sum previously offered by the said Justices, all the costs of such enquiry shall be borne by the said Justices, but if the verdict of the Jury be given for the same, or a less sum than the sum previously offered by the said Justices, or if the owner of the lands, being resident within the said Presidency, shall have failed to appear at the time and place appointed for the enquiry, having received due notice thereof, one-half of the costs of summoning, empannelling, and returning the Jury, and of taking the enquiry, and recording the verdict and judgment thereon, in case such verdict shall be taken, shall be defrayed by the owner of the lands, and the other half by the said Justices, and each party shall bear his own costs, other than as aforesaid, incident to such enquiry.

XXII. The costs of any such enquiry shall, in case of difference, be settled by the Taxing Officer of the said Supreme Court at Madras, on an order of the same Court, to be obtained on petition in a summary way, on application of either party, and such costs shall include all reasonable costs, charges, and expenses incurred in summoning, empannelling, and returning the Jury, taking the enquiry, the attendance of witnesses, the employment of Counsel and Attornies, recording the verdict and judgment thereon, and otherwise incident to such enquiry.

XXIII. In all cases when money shall be paid or required to be paid by the said Justices to any person, as a compensation, or in respect of costs under this Act, the same shall be paid by the said Justices out of the assessment fund, and the said money paid as a compensation as aforesaid, shall be subject to the same use or uses, and the same charges, liens, or incumbrances in all respects, as the interest or property for which such compensation shall be paid were subject at the time of the payment thereof.

XXIV. If any such costs shall be payable by the said Justices, and if within seven days after demand such costs be not paid to the party entitled to receive the same, such party may



apply to any Judge of the said Supreme Court for an order directed to the said Justices, and requiring them to pay the said costs out of the assessment fund, and any Judge of the said Supreme Court shall issue such order accordingly, and in default of payment, the said costs shall be recoverable by distress of the goods and chattels of the said Justices, or any one of them, and any Judge of the said Supreme Court may issue his warrant of distress accordingly; and if any such costs shall be payable by the owner of the lands, or of any interest therein, the same may be deducted and retained by the said Justices out of any money awarded by the Jury to such owner, and the payment or deposit of the remainder, if any, of such money, shall be deemed payment and satisfaction of the whole thereof, or if such costs shall exceed the amount of the money so awarded or determined, the excess shall be recoverable by distress, and the said Justices shall issue their warrant accordingly.

XXV. The said Sheriff shall be allowed for every Sheriff's fees. warrant to his bailiff for summoning every Jury, ten rupees and no more, and for every return of a Jury four rupees and no more, and for attending the said Jury, or the empannelling thereof, fifteen rupees and no more, and such fees shall be paid as hereinbefore provided.

XXVI. The purchase money or compensation to be paid for any lands to be purchased or taken by the said Justices from any party who, by reason of absence from the said Presidency, is prevented from treating, or who cannot, after diligent enquiry, be found, and the compensation to be paid for any permanent injury to such lands, shall be such as shall be determined by the valuation of such able practical Surveyor as two Justices shall nominate for that purpose, as hereinafter mentioned.

XXVII. The said two Justices, upon such proof as shall be satisfactory to them that any two Justices shall be satisfied to nominate a Surveyor. such party is, by reason of absence from the said Presidency, prevented from treating, or cannot, after diligent enquiry, be found, after due notice to him for that purpose, shall, by writing under their hands, nominate an able practical Surveyor, not being the Surveyor of the said Justices, for determining such compensation as aforesaid, and such Surveyor shall determine the same accordingly, and shall annex to his valuation a declaration in writing, subscribed by him, of the correctness thereof.

XXVIII. Before such Surveyor shall enter upon the duty of making such valuation as Declaration to be made by the Surveyor. the duty of making such valuation as aforesaid, he shall, in the presence of such Justices, or one of them, make and subscribe the declaration following at the foot of such nomination (that is to say,)

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

" A. B.

" Made and subscribed in the presence of "

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

XXIX. The said nomination and declaration shall be annexed to the valuation to be made by such Surveyor, and shall be preserved together therewith by the said Justices, and they shall at all times produce the said valuation and other documents, on demand, to the owner of the lands comprised in such valuation, and to all other parties interested therein.

XXX. All the expenses of and incident to every such valuation shall be borne by the said Justices out of the assessment fund.

XXXI. In estimating the purchase money or compensation to be paid by the said Justices, in any of the cases aforesaid, regard shall be had by the Justices, or Surveyor, as the case may be, not only to the value of the land to be purchased or taken by the said Justices, but also to the damage, if any, to be sustained by the owner of the lands, by reason of the severing of the lands taken from the other lands of such owner, or otherwise injuriously affecting such other lands by the exercise of the powers of this Act.

XXXII. If the purchase money or compensation which shall be payable in respect of any land or any interest therein purchased or taken by the said Justices from any corporation, tenant for life or in tail, married woman seised in her own right or entitled to dower, guardian, committee of lunatic or idiot, trustee, executor or administrator, or person having a partial or qualified interest only in such lands, and not entitled to sell or convey the same except under the provisions of this Act, or if conflicting claims are set up to such money or compensation, the same shall be paid to the Sub-Treasurer of the Government of Fort St. George, with the privity of the Accountant General of the said Presidency, to be placed to the account there of such Accountant General *ex-parte* the said Justices; and such monies shall remain so deposited until the same, under some decree or order of the said Supreme Court of Madras, be ordered to be paid or otherwise applied to, or for the benefit of the parties entitled thereto; and the receipt of the said Accountant General shall be a sufficient discharge to the said Justices for the monies so paid by them as aforesaid.

XXXIII. Such money may be so applied as aforesaid upon an order of the said Supreme Court of Madras, made on the petition of the party who would have been entitled to the rents and profits of the lands, in respect of which such money shall have been deposited; and until the money can be so applied, it may, upon the like order, be invested by the said Accountant General, in the purchase of Government or real securities, and the interest, dividends, and annual proceeds thereof, may be paid to the party who would for the time being have been entitled to the rents and profits of the lands.

XXXIV. All sums of money which may be payable by the said Justices in respect of the taking, using, or interfering with any lands under a contract or agreement with any person who shall not be entitled to dispose of such lands, or of the interest therein contracted to be sold by him, absolutely for his own benefit, shall be paid to the said Sub-Treasurer, with the privity of the said Accountant General, in manner aforesaid, and it shall not be lawful for any contracting party, not entitled as aforesaid to retain to his own use any portion of the sums so agreed or contracted to be paid for, or in respect of the taking, using, or interfering with any such lands, but all such monies shall be deemed to have been contracted to be paid for and on account of the several parties interested in such lands, as well in possession as in remainder, reversion, or expectancy; provided always, that it shall be in the discretion of the said Supreme Court to allot to any tenant for life, or for any other partial or qualified estate, for his own use, a portion of the sum so paid to the Sub-Treasurer as aforesaid, as compensation for any injury, inconvenience, or annoyance which he may be considered to sustain, independently of the actual value of the lands to be taken, and of the damage occasioned to the lands held therewith, by reason of the taking of such lands, and the making of the works.

XXXV. Where any purchase money or compensation paid to the Sub-Treasurer as aforesaid, under the provision of this Act,

cation of money shall have been paid in respect of any lease for a life or lives or years, or for a life or lives and years, or any estate in lands less than the whole fee simple thereof, or of any reversion dependent on any such lease or estate, it shall be lawful for the said Supreme Court of Madras, on the petition of any party interested in such money, to order that the same shall be laid out, invested, accumulated, and paid in such manner as the said Court may consider will give to the parties interested in such money the same benefit therefrom as they might lawfully have had from the lease, estate, or reversion in respect of which such money shall have been paid, or as near thereto as may be.

**XXXVI.** Upon deposit with the Sub-Treasurer, in manner hereinbefore provided, of the purchase money or compensation agreed or awarded to be paid in respect of any lands purchased or taken by the said Justices under the provisions of this Act, the owner of such lands, including in such term all parties by this Act enabled to sell or convey lands, shall, when required so to do by the said Justices, duly convey such lands to the said Justices, or as they shall direct; and in default thereof, or if he fail to adduce a good title to such lands to their satisfaction, it shall be lawful for the said Justices, if they think fit, to execute a deed poll, under the hands and seals of the said Justices, or any two of them, containing a description of the lands in respect of which such default shall be made, and reciting the purchase or taking thereof by the said Justices, and the names of the parties from whom the same were purchased or taken, and the deposit made in respect thereof, and declaring the fact of such default having been made, and thereupon all the estate and interest in such lands of or capable of being sold and conveyed by the party between whom and the said Justices such agreement shall have been come to, or as between whom and the said Justices such purchase money or compensation shall have been determined by a Jury, or by a Surveyor appointed by two Justices as herein provided, and shall have been deposited as aforesaid, shall vest absolutely in the said Justices of the Peace from time to time acting within and for the said Town and limits, upon trust for the purposes of this Act, and as against such parties, and all parties on behalf of whom they are hereinbefore enabled to sell and convey, the said Justices shall be entitled to immediate possession of such lands.

**XXXVII.** If the owner of any such lands purchased or taken by the said Justices, or of any interest therein, on tender of the purchase money or compensation either agreed or awarded to be paid in respect thereof, refuse to accept the same, or neglect or fail to make out a title to such lands, or to the interest therein claimed by him, to the satisfaction of the said Justices, or if he refuse to convey or release such lands, as directed by the said Justices, or if any such owner be absent from the Presidency, or cannot, after diligent enquiry, be found, or fail to appear on the enquiry before a Jury, as herein provided for, it shall be lawful for the said Justices to deposit the purchase money or compensation payable in respect of such lands, or any interest therein, with the Sub-Treasurer, in the name and with the privity of the Accountant General of the said Presidency, to be placed to his account there, to the credit of the parties interested in such lands (describing them so far as the said Justices can do) subject to the control and disposition of the said Supreme Court.

**XXXVIII.** Upon any such deposit of money as last aforesaid being made, the said Sub-Treasurer shall give to the said Justices, or to the party paying in such money by their direction, a receipt for such money, specifying therein for what and for whose use (described as aforesaid)

the same shall have been received, and in respect of what purpose the same shall have been paid in; and it shall be lawful for the said Justices, if they think fit, to execute a deed poll, under their hands, or the hands of any two of them, containing a description of the lands in respect whereof such deposit shall have been made, and declaring the circumstances under which, and the names of the parties to whose credit such deposit shall have been made, and thereupon all the estate and interest in such lands of the parties for whose use and in respect whereof such purchase money or compensation shall have been deposited, shall vest absolutely in the said Justices of the Peace from time to time acting within and for the said Town and limits, upon trust for the purposes of this Act, and as against such parties they shall be entitled to immediate possession of such lands.

**XXXIX.** Upon the application by petition of any Application of party making claim to the money so monies so deposited as last aforesaid, or any part thereof, or to the lands in respect whereof the same shall have been so deposited, or any part of such lands, or any interest in the same, the said Supreme Court may, in a summary way, as to such Court shall seem fit, order such money to be laid out, or invested, or may order distribution thereof, or payment of the dividends thereof, according to the respective estates, titles, or interests of the parties making claim to such money or lands, or any part thereof, and may make such other order in the premises as to such Court shall seem fit.

**XL.** If any question arise respecting the title to the lands in respect whereof such monies shall have been so paid or deposited as aforesaid, the parties respectively in possession of such lands, as being the owners thereof, or in receipt of the rents of such lands, as being entitled thereto at the time of such lands being purchased or taken, shall be deemed to have been lawfully entitled to such lands, until the contrary be shown to the satisfaction of the said Supreme Court; and unless the contrary be shown as aforesaid, the parties so in possession, and all parties claiming under them, or consistently with their possession, shall be deemed entitled to the money so deposited, and to the dividends or interest of the securities purchased therewith, and the same shall be paid and applied accordingly.

**XLI.** In all cases of monies deposited with the Sub-Treasurer under the provisions of this Act (except where such monies shall have been so deposited by reason of the wilful refusal of any party entitled thereto to receive the same, or to convey or release the lands in respect whereof the same shall be payable, or by reason of the wilful neglect of any party to make out a good title to the land required), it shall be lawful for the said Supreme Court to order the costs of the following matters, including therein all reasonable charges and expenses incident thereto, to be paid by the said Justices (that is to say,) the costs of the purchase or taking of the lands, or which shall have been incurred in consequence thereof, other than such costs as are herein otherwise provided for, and the costs of the investment of such monies in Government or real securities, and also the costs of obtaining the proper orders for any of the purposes aforesaid, and of the orders for the payment of the dividends and interest of the securities upon which such monies shall be invested, and for the payment out of Court of the principal of such monies, or of the securities whereon the same shall be invested, and of all proceedings relating thereto, except such as are occasioned by litigation between adverse claimants.

**XLII.** Conveyances of lands to be purchased under the provisions of this Act, may be according to the form in Schedule (A) to this Act annexed, or as near thereto as the circumstances of the case will admit, or by deed in any other form which the said Justices may think fit, and all conveyances made according to the form in the

said Schedule, or as near thereto as the circumstances of the case will admit, shall be effectual to vest the lands thereby conveyed in the said Justices of the Peace from time to time acting within and for the said Town and limits upon trust for the purposes of this Act, and shall operate to merge all terms of years attendant by express declaration, or by construction of law on the estate or interest so thereby conveyed, and to bar, and to destroy all such estates tail, and all other estates, rights, titles, remainders, reversions, limitations, trusts, and interests whatsoever, of and in the lands comprised in such conveyances, which shall have been purchased or compensated for by the consideration therein mentioned; but although terms of years be thereby merged, they shall in equity afford the same protection as if they had been kept on foot, and assigned to a trustee for the said Justices to effect the reversion and inheritance.

**XLIII.** The costs of all such conveyances shall be borne by the said Justices, and such costs shall include all charges and expenses incurred, on the part as well of the seller as of the purchaser, of all conveyances and assurances of any such lands, and of any outstanding terms or interests therein, and of deducing, evidencing, and verifying the title to such lands, terms, or interests, and of making out and furnishing such abstracts and attested copies as the said Justices may require, and all other reasonable expenses incident to the investigation, deduction, and verification of such title.

**XLIV.** If the said Justices and the party entitled to any such costs shall not agree as to the amount thereof, such costs shall be taxed by the taxing Officer of the said Supreme Court, upon an order of the same Court, to be obtained on petition in a summary way by either of the parties; and the said Justices shall pay what the said taxing Officer shall certify to be due in respect of such costs to the party entitled thereto, or in default thereof the same may be recovered in the same way as any other costs payable under an order of the said Court, or the same may be recovered by distress, in the manner hereinbefore provided in other cases of costs; and the expense of taxing such costs shall be borne by the said Justices, unless upon such taxation, one-sixth part of the amount of such costs shall be disallowed, in which case the costs of such taxation shall be borne by the party whose costs shall be so taxed, and the amount thereof shall be ascertained by the said taxing Officer, and deducted by him accordingly in his certificate of such taxation.

**XLV.** No party shall at any time be required to sell or convey to the said Justices a part only of any house or other building, if such party be willing and able to sell and convey the whole thereof.

**XLVI.** It shall be lawful for the said Justices to purchase or redeem the interest of the mortgagee of any such lands which may be required for the purposes of this Act, and that whether they shall have previously purchased the equity of redemption of such lands or not, and whether the mortgagee thereof be entitled thereto in his own right, or in trust for any other party, and whether he be in possession of such lands by the virtue of such mortgage or not, and whether such mortgage affect such lands solely or jointly with any other lands not required for the purposes of this Act, and in order thereto, the said Justices may pay or tender to such mortgagee the principal and interest due on such mortgage, together with his costs and charges, if any, and also six months' additional interest, and thereupon such mortgagee shall immediately convey his interest in the lands comprised in such mortgage to the said Justices, or as they shall direct, or the said Justices may give notice in writing to such mortgagee that they will pay off the principal and interest due on such mortgage at the end of six months, computed from the day of giving such notice; and if they shall have given any

such notice, or if the party entitled to the equity of redemption of any such lands shall have given six months' notice of his intention to redeem the same, then, at the expiration of either of such notices, or at any intermediate period, upon payment or tender by the said Justices to the mortgagee of the principal money due on such mortgage, and the interest which would become due at the end of six months from the time of giving either of such notices, together with his costs and expenses, if any, such mortgagee shall convey or lease his interest in the lands comprised in such mortgage to the said Justices of the Peace acting within and for the said Town and limits, upon trust for the purposes of this Act.

**XLVII.** If in either of the cases aforesaid, upon deposit of such payment or tender, any mortgagee shall fail to convey or release his interest in such mortgage as directed by the said Justices, or if he fail to adduce a good title thereto, to their satisfaction, then it shall be lawful for the said Justices to deposit with the said Sub-Treasurer, in the manner provided by this Act in like cases, the principal and interest, together with the costs, if any, due on such mortgage, and also if such payment be made before the expiration of six months' notice as aforesaid, such further interest as would at that time become due; and it shall be lawful for them, if they think fit, to execute a deed poll, duly stamped in the manner hereinbefore provided, in the case of the purchase of lands by them; and thereupon, as well as upon such conveyance by the mortgagee, if any such be made, all the estate and interest of such mortgagee, and of all persons in trust for him, or for whom he may be a trustee, in such lands, shall vest in the said Justices of the Peace from time to time acting within and for the said town and limits, upon trust for the purposes of this Act, and they shall be entitled to immediate possession thereof, in case such mortgagee were himself entitled to such possession.

**XLVIII.** If any such mortgaged lands shall be of less value than the principal, interest, and costs secured thereon, the value of such lands, or the compensation to be made by the said Justices in respect thereof, shall be settled by agreement between the mortgagee of such lands and the party entitled to the equity of redemption thereof on the one part, and the said Justices on the other part, and if the parties aforesaid fail to agree respecting the amount of such value or compensation, the same shall be determined as in other cases of disputed compensation; and the amount of such value or compensation, being so agreed upon or determined, shall be paid by the said Justices to the mortgagee, in satisfaction of his mortgage debt, so far as the same will extend, and upon payment or tender thereof, the mortgagee shall convey or release all his interest in such mortgaged lands to the said Justices of the Peace from time to time acting within and for the said town and limits, upon trust for the purposes of this Act.

**XLIX.** If, upon such payment or tender as aforesaid being made, any such mortgagee fail to convey his interest in such mortgage, or to adduce a good title thereto to the satisfaction of the said Justices, it shall be lawful for them to deposit the amount of such value or compensation with the Sub-Treasurer, in the manner provided by this Act in like cases, and every such payment or deposit shall be accepted by the mortgagee in satisfaction of his mortgage debt, so far as the same will extend, and shall be a full discharge of such mortgaged lands from all money due thereon; and it shall be lawful for the said Justices, if they think fit, to execute a deed poll, duly stamped, in the manner hereinbefore provided in the case of the purchase of lands by them; and thereupon such lands, as to all such estate and interest as were then vested in the mortgagee, or any person in trust for him, shall become absolutely vested in the said Justices from time to time acting

within and for the said limits, upon trust for the purposes of this Act, and they shall be entitled to immediate possession thereof, in case such mortgagee were himself entitled to such possession; nevertheless, all rights and remedies possessed by the mortgagee against the mortgagor, by virtue of any bond or covenant, or other obligation, other than the right to such lands, shall remain in force in respect of so much of the mortgage debt as shall not have been satisfied by such payment or deposit.

L. If a part only of any such mortgaged lands be required for the purposes of this Act, and if the part so required be of less value than the principal money interest, and costs secured on such lands, and the mortgagee shall not consider the remaining part of such lands a sufficient security for the money charged thereon, or be not willing to release the part so required, then the value of such part, and also the compensation (if any) to be paid in respect of the severance thereof or otherwise shall be settled by agreement, between the mortgagee and the party entitled to the equity of redemption of such land on the one part, and the said Justices on the other; and if the parties aforesaid fail to agree respecting the amount of such value or compensation, the same shall be determined as in other cases of disputed compensation, and the amount of such value or compensation, being so agreed upon or determined, shall be paid by the said Justices to such mortgagee in satisfaction of his mortgage debt, so far as the same will extend, and thereupon such mortgagee shall convey or release to the said Justices of the Peace from time to time acting within and for the said town and limits, upon trust for the purposes of this Act, all his interest in such mortgaged lands, the value whereof shall have been so paid, and a memorandum of what shall have been so paid shall be endorsed on the deed creating such mortgage, and shall be signed by the mortgagee, and a copy of such memorandum shall at the same time (if required) be furnished by the said Justices, at their expense, to the party entitled to the equity of redemption of the lands comprised in such mortgage deed.

LI. If, upon payment or tender to any such mortgagee of the amount of the value or compensation so agreed upon or determined, such mortgagee shall fail to convey or release to the said Justices, or as they shall direct, his interest in the lands in respect of which such compensation shall so have been paid or tendered, or if he shall fail to adduce a good title thereto, to the satisfaction of the said Justices, it shall be lawful for the said Justices to pay the amount of such value or compensation to the Sub-Treasurer, in the manner provided by this Act in the case of monies required to be deposited with such Sub-Treasurer as aforesaid, and such payment or deposit shall be accepted by such mortgagee in satisfaction of his mortgage debt, so far as the same will extend, and shall be a full discharge of the portion of the mortgaged lands so required from all money due thereon; and it shall be lawful for the said Justices, if they think fit, to execute a deed poll, duly stamped in the manner hereinbefore provided, in the case of the purchase of lands by them, and thereupon such lands shall become absolutely vested in the said Justices of the Peace from time to time acting within and for the said town and limits, upon trust for the purposes of this Act, as to all such estate and interest as were then vested in the mortgagee, or any person in trust for him, and in case such mortgagee were himself entitled to such possession they shall be entitled to immediate possession thereof; nevertheless every such mortgagee shall have the same powers and remedies for recovering or compelling payment of the mortgage money, or the residue thereof (as the case may be) and the interest thereof respectively, upon and out of the residue of such mortgaged lands, or the portion thereof not required for the purposes of this Act, as he would otherwise have had or been entitled to for recovering or com-

puting the same, upon and out of the whole of the lands originally comprised in such mortgage.

LII. Provided always that in any of the cases hereinbefore provided with respect to lands subject to mortgage, if in the mortgage deed a time shall have been limited for payment of the principal money thereby secured, and under the provisions hereinbefore contained the mortgagee shall have been required to accept payment of his mortgage money, or of part thereof, at a time earlier than the time so limited, the said Justices shall pay to such mortgagee, in addition to the sum which shall have been so paid off, all such costs and expenses as shall be incurred by such mortgagee in respect of, or which shall be incidental to, the re-investment of the sum so paid off, such costs, in case of difference, to be taxed, and payment thereof enforced in the manner herein provided with respect to the costs of conveyances; and if the rate of interest secured by such mortgage be higher than at the time of the same being so paid off can reasonably be expected to be obtained on re-investing the same, regard being had to the then current rate of interest, such mortgagee shall be entitled to receive from the said Justices, in addition to the principal and interest hereinbefore provided for, compensation in respect of the loss to be sustained by him by reason of his mortgage money being so prematurely paid off, the amount of such compensation to be ascertained in case of difference as in other cases of disputed compensation; and until payment or tender of such compensation as aforesaid, the said Justices shall not be entitled as against such mortgagee to possession of the mortgaged lands under the provision hereinbefore contained.

LIII. If any lands shall be comprised in a lease for a term of years unexpired, part only of which lands shall be required for the purposes of this Act, the rent payable in respect of the lands comprised in such lease shall be apportioned between the lands so required and the residue of such lands; and such apportionment may be settled by agreement between the lessor and lessee of such lands on the one part, and the said Justices on the other part, and if such apportionment be not so settled by agreement between the parties, such apportionment shall be settled by any Judge of the said Supreme Court, and after such apportionment the lessee of such lands shall, as to all future accruing rent, be liable only to so much of the rent as shall be so apportioned in respect of the lands not required for the purposes of this Act, and as to the lands not so required, and as against the lessee, the lessor shall have all the same rights and remedies for the recovery of such portion of rent as, previously to such apportionment, he had for the recovery of the whole rent reserved by such lease, and all the covenants, conditions, and agreements of such lease, except as to the amount of rent to be paid, shall remain in force with regard to that part of the land which shall not be required for the purposes of this Act, in the same manner as they would have done in case such part only of the land had been included in the lease.

LIV. Every such lessee as last aforesaid shall be entitled to receive from the said Justices compensation for the damage done to him in his tenancy by reason of the severance of the lands required from those not required, or otherwise by reason of the execution of the works.

LV. If any such lands shall be in the possession of any person having no greater interest therein than as tenant for a year or from year to year, and if such person be required to give up possession of any lands so occupied by him before the expiration of his term or interest therein, he shall be entitled to compensation for the value of his unexpired term or interest in such lands, and for any just allowance which ought to be made to him by an in-coming tenant, and for any

Compensation to be made in certain cases if mortgage paid off before the stipulated time.

Where part only of lands under lease taken, the rent to be apportioned.

Tenants to be compensated.

Compensation to be made to tenants at will, &c.

loss or injury he may sustain ; or if a part only of such lands be required, compensation for the damage done to him in his tenancy, by severing the lands held by him, or otherwise injuriously affecting the same, and the amount of such compensation shall be determined by any Judge of the said Supreme Court, in case the parties differ about the same ; and upon payment or tender of the amount of such compensation, all such persons shall respectively deliver up to the said Justices, or to the person appointed by them to take possession thereof, any such lands in their possession required for the purposes of this Act.

LVI. If any party having a greater interest than as tenant at will, claim compensation in respect of any unexpired term or interest under any lease or grant of any such lands, the said Justices may require such party to produce the lease or grant in respect of which such claim shall be made, or the best evidence thereof in his power ; and if after demand made in writing by the said Justices, such lease or grant, or such best evidence thereof, be not produced within twenty-one days, the party so claiming compensation shall be considered as a tenant holding only from year to year, and be entitled to compensation accordingly.

LVII. The powers and authority by the preceding Sections of this Act given or reserved to the Justices of the Peace from time to time acting within and for the said Town and limits, and the trusts respectively reposed in them as aforesaid, shall be exercised and performed by all the said Justices, or the major part of them, for the time being, acting as aforesaid in sessions assembled, unless the contrary shall be expressly provided by any of such Sections ; and the said Justices shall have a common seal, and shall sue and be sued at law and in equity by the name of the Justices of the Peace acting within and for the Town and local limits of Madras, and the lands purchased and taken under the provisions of this Act shall be held by the said Justices from time to time acting as aforesaid upon trust for the improvement of the said Town and limits, according to the true intent and meaning of this Act, and for no other purpose whatever.

LVIII. The said Justices, or any two of them, or their Surveyor, shall cause notice in writing to be given to the owner or occupier of any building or land within the said Town and limits from which any gallery, balcony, roof, weather frame, spout, gutter, or other thing shall in future be made, which shall overhang or jut into, or in any way project or encroach upon any public road, street, or other thoroughfare, that he do take down, remove, alter, or regulate the same, in such manner as the said Justices, or their said Surveyor, shall, by the said notice, require, and in case such owner or occupier shall refuse or neglect so to do for the space of fifteen days next after such notice shall have been given to him, the person or persons disobeying such notice shall be punishable on conviction before any two of the said Justices by fine not exceeding five hundred Rupees ; and it shall be lawful for the said Justices, or their Surveyor, to enter any lands or buildings for the purpose of taking down or removing, or causing to be taken down and removed, any such gallery, balcony, roof, weather frame, spout, gutter, or other thing, projecting, overhanging, or encroaching as aforesaid, and to remove or take down the same, or cause the same to be removed or taken down, and to sell and dispose of the materials thereof in like manner as is hereinafter directed concerning the taking down of ruinous buildings ; provided always, that the person or persons to whom such notice shall be given, may, within fourteen days after the receipt thereof, appeal therefrom to the said Justices, or the major part of them, assembled at the General Quarter Sessions, who shall have power to quash, alter, or confirm the same, and to make such order with respect to

the costs thereof as to them shall seem just ; provided also, that tiled roofs or weather frames of at least twelve feet high, above the surface of any public road, street, or other thoroughfare, may be projected to the extent of two feet over the same.

LIX. It shall be lawful for the said Justices, or their Surveyor, with the approbation of the said Justices, so assembled as aforesaid, to give permission in writing to the owner or occupiers of buildings in public thoroughfares, twenty-five feet in width and upwards, and of buildings in exposed situations, within the said Town and limits, to project tiled roofs or weather frames from the upper stories of their houses, to the extent of three feet beyond their foundation, or over any public road, street, or other thoroughfare.

LX. Where any scaffolding shall be used in or near any public road, street, or other thoroughfare, in building, repairing, or altering any house or building within the said Town and limits, it shall be lawful for any two of the said Justices, or their Surveyor, if they or he shall think fit so to do, to give notice in writing to the owner or occupier of such house or building, or other person directing the works, to cause such scaffolding to be masked or covered on the outside thereof so as to prevent anything falling therefrom to the injury of persons passing below, and if the owner, occupier, or other person as aforesaid, shall neglect to obey such notice, within a reasonable time after receiving the same, such offender shall be punishable on conviction before the said Justices, or the major part of them assembled at the General Quarter Sessions as aforesaid, by fine not exceeding five hundred Rupees.

LXI. The tiles of roofs within the said Town and limits shall be properly secured, so as to prevent their falling, to the injury of passengers, on any public road, street, or other thoroughfare, and the owner or occupier of any house the tiles of which are not so secured, shall, if he neglect to secure the same within one week after having received notice so to do from any two of the said Justices, or their Surveyor, be punishable, on conviction before such Justices, or the major part of them assembled at their General Quarter Sessions, by fine not exceeding five hundred rupees.

LXII. It shall be lawful for any two of the said Justices, or their Surveyor, to give notice in writing to the owner or occupier of any house or building within the said town and limits, from which water may fall on any public road or ground, to put up such gutters, pipes, or channels for catching and conveying the water elsewhere, as may be necessary, and on non-compliance with such notice within one week from the time of receiving the same, the offender shall be punishable before such Justices, or the major part of them, assembled at the General Quarter Sessions, by fine not exceeding five hundred rupees.

LXIII. When any building or wall, or any part thereof, at or near any public road, street, or other thoroughfare, in any part of the said Town and limits, shall be considered by the said Justices or their Surveyor to be in a ruinous condition, and dangerous to passengers, or to the occupiers of the neighbouring buildings, it shall be lawful for the said Justices, or their Surveyor, to cause a sufficient boarding or protection to be put up for the safety of all passengers, and the said Surveyor shall cause notice in writing to be given to the owner and occupier of the said building or wall, if they or either of them be known and resident within the said limits, and if not, cause a notice to be affixed to the door or other exposed part of such building or wall, requiring such owner or occupier to repair or pull down the same within fourteen days from the date of such notice ; and if such occupier or owner do not begin to repair or take down the same within such term of four-

teen days, and complete the same as soon as the case will admit, it shall be lawful for the Surveyor to the said Justices to cause such building, or so much thereof as may be ruinous, to be taken down, and removed, or repaired, rebuilt, or otherwise secured, in such manner as shall be requisite, and to sell and dispose of the materials thereof, and by and out of the monies arising by the sale thereof to reimburse himself and all persons by him employed for the purpose, all the charges of putting up such boarding, and of taking down and removing such building, and of selling the said materials as aforesaid; and the surplus of such monies, if any, shall be paid to the owner of such house or building, upon personal demand thereof made by such owner; and if no such demand be made, then to the said Justices, for the benefit of the person or persons entitled thereto; and if no demand shall be made to the said Justices for the money so paid in or before the expiration of twelve months from the receipt thereof by the said Justices, the same shall be added to and become part of the said assessment fund.

LXIV. Whenever the money produced by any sale to be made by the Surveyor to the said Justices under this Act shall be deficient to cover the expenses of the said Surveyor, and the persons employed by him, then the said Justices shall pay such deficiency to the said Surveyor out of the said assessment fund, and shall have power to levy and raise the same by distress and sale of the goods and chattels of the offender, as hereinafter is provided.

LXV. In case any part of the land constituting the public streets or roads, or other thoroughfares within the said town and limits shall become useless and unnecessary for the purpose of a public highway, it shall be lawful for the said Governor in Council to direct the Collector of Madras to take possession thereof for the use of the Honorable the East India Company, and the said Collector shall take possession thereof accordingly.

LXVI. Every Head Builder, Master Carpenter, Master Mason, or labourer, who shall, in erecting, rebuilding, or repairing, altering, or adding to any building within the said town and limits, knowingly offend against the provisions of this Act, shall be punishable, on conviction before such Justices, or the major part of them assembled at the General Quarter Sessions, by fine not exceeding five hundred rupees.

LXVII. The amount of all fines and penalties, and costs in the nature of fines and penalties, that may be incurred and payable under this Act, shall be levied by Warrant under the hands and seals of two or more of the said Justices so assembled, and when received shall be added to and form part of the said assessment fund; and if on such distress property belonging to such offenders sufficient to make good the penalty be not found, such offender shall or may be committed by Warrant under the hands and seals of two or more of the said Justices so assembled, to the house of correction, with or without hard labour, at the discretion of the said Justices, for any time not exceeding three months, unless the said penalty be sooner paid.

LXVIII. No distress levied by virtue of this Act shall be deemed unlawful, nor shall the party making the same be deemed a trespasser, on account of any defect or want of form in any proceedings relating thereto, nor shall such party be deemed a trespasser *ab initio* on account of any irregularity afterwards done by him; but all persons aggrieved by such irregularity may recover for the special damage only by action on the case, and not by any other action whatever.

LXIX. If any party shall have committed any irregularity, trespass, or other wrongful proceedings in the execution of this Act, or by virtue of any power or authority thereby given, if before action brought in respect thereof such party tender sufficient amends to the party injured, such last mentioned party shall not recover in any such action, and if no such tender shall have been made, it shall be lawful for the defendant in such action, by the leave of the Court where such action shall be pending, at any time before issue joined, to pay into Court such sum of money as he shall see fit; thereupon such proceedings shall be had as in other actions when the defendant is allowed to pay money into Court.

LXX. No action or suit shall be commenced against any person or persons for any thing done in pursuance of this Act until twenty-one days after notice in writing of an intention to bring such action or suit has been given to the person or persons against whom such action or suit shall be brought, nor after the expiration of three calendar months next after the act committed, and the defendant in every such action or suit may plead the general issue, and give this Act and any special matter in evidence at the trial, and that the matter or thing for which such action or suit is brought was done in pursuance and by the authority of this Act, and if the said matter or thing appear to have been so done, or if it shall appear that such action or suit was brought before the expiration of twenty-one days after such notice was given as aforesaid, or that sufficient satisfaction was made or tendered before such action was brought, or if any such action or suit be not commenced within the time herein for that purpose limited, then the Court, in every such action or suit, shall find for the defendant therein, and if a verdict be found for the defendant, or if the plaintiff in any such action or suit become non-suited, or discontinue, or suffer a discontinuance of any such action or suit, or if in any such action or suit judgment be given for the defendant therein on demurrer, or by default or otherwise, then, and in any of the cases aforesaid, the defendant shall have judgment to recover double costs of suit, and shall have such remedy for recovering the same as any defendant may have by law for costs in other cases.

LXXI. The following terms and expressions wherever used in this Act shall have the several meanings hereby assigned to them, unless there be something either in the subject or context repugnant to such construction; that is to say—

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

Words importing the masculine gender only, shall include females.

The word "month" shall mean calendar month.

The word "lands" shall extend to lands, tenements, and hereditaments of any tenure, and also messuages and other erections, and buildings thereupon.

The word "lease" shall include an agreement for a lease.

The word "oath" shall include affirmation in the case of Quakers or Hindoos, or other declaration or solemnity lawfully substituted for an oath, in the case of any other persons exempted by law from the necessity of taking an oath.

The words "Assessment Fund" shall mean the monies received by the said Justices by virtue of any Act or Acts of Parliament, or of the Legislative Council of India, whereby the said Justices are authorized and empowered to make, raise, and levy an Assessment or Assessments on the owners or occupiers of Houses, Buildings, and Grounds in the said Town and limits.

## SCHEDULE (A.)

*Form of Conveyance.*

I of in consideration of the sum of paid to me (or as the case may be to the Sub-Treasurer in the name and with the privity of the Accountant General of the said Presidency ex-parte "The said Justices of the Peace acting within and for the Town and limits of Madras") pursuant to the Act (here name this Act) do hereby convey to the said Justices of the Peace from time to time acting within the said Town and limits all (describing the premises to be conveyed) together with all ways, rights, and appurtenances thereto belonging, and all such estate, right, title, and interest in and to the same as I am or shall become seised or possessed of, or am by the said Act empowered to convey, to hold the premises to the said Justices from time to time acting within and for the said Town and limits for ever upon trust for the purposes of the said Act, according to the true intent and meaning thereof. In witness whereof I have hereunto set my Hand and Seal, the day of in the Year of our Lord

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 5th day of March next.

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

FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,

the 12th December 1851.

The following Extract from the Proceedings of the Hon'ble the President of the Council of India in Council, in the Legislative Branch of the Home Department, under date the 12th December 1851, is published for general information.

Read a second time the Draft of a proposed Act dated the 16th November 1849, and published in the *Calcutta Gazette* of the 21st November 1849, to amend the law for the dismissal of Pleaders in Bengal.

*Resolution.*—The President in Council resolves that the following amended Draft on the subject be published for general information.

ACT No. — OF 1851.

*An Act to amend the Law relating to Pleaders in Bengal.*

Whereas the laws in force relating to Pleaders, practising in the Courts of the East India Company, in the Presidency of Fort William in Bengal, require amendment, it is enacted as follows:

I. Clause 4, Section V. Regulation XXVI. of 1814, and Sections VI., VII., VIII., X., XI., XIII., XIV., XV., Clause 3 Section IX., and Clause 6 Section XX. of Regulation XXVII. of 1814, and Section XVIII. Regulation X. of 1829, of the Bengal Code, and Sections X. and XI. of Act I. of 1846, are hereby repealed.

II. Any Pleader practising in the said Courts of the said Presidency shall be liable to dismissal on proof of his conviction by a competent Court of a Criminal offence, or on proof of a declaration by a competent Court, that he has knowingly committed a breach of trust, or for fraudulent or dishonest conduct in the discharge of his professional duty.

III. When any Pleader is charged by any person or Court with any offence or misconduct, rendering him liable to dismissal, the Court competent to make an order for his dismissal shall serve or cause to be

served upon such Pleader a copy of the charge or charges brought against him, and also a notice of the day appointed by the said Court for the hearing of such charge or charges, and such copy and notice shall be served upon the said Pleader at least 20 clear days before the day appointed for such hearing, and on the hearing of the said charge or charges the Court shall receive all such relevant evidence as shall be properly tendered by or on behalf of the Court or party bringing the charge or charges, or by the said Pleader, and shall proceed to adjudicate on the said charge or charges in a summary way, and shall record its decision, and the reasons on which the same is grounded. Provided always, that the Court which is competent to dismiss a Pleader shall also be competent to bring a charge or charges, and proceed against him as aforesaid, and may also hear and adjudicate upon such charge or charges in manner hereinbefore mentioned.

IV. The power of dismissing Pleaders practising in either of the Sudder Courts of the said Presidency is vested in the Judges of those Courts respectively; the power of dismissing Pleaders practising in the Courts of the Zillah Judges, or in Courts subordinate to them, in the said Presidency, is vested in the Zillah Judges respectively.

V. An appeal from the order of any Zillah Judge, for the dismissal of a Pleader, may be made to the Sudder Dewanee Adawlut, according to the Rules in force for the admission of appeals.

VI. It shall not be lawful for any of the said Courts of the said Presidency to impose any fine on any Pleader practising in the said Courts, except such fine as may be imposed under the Provisions of Act XXX. of 1841.

Ordered, that the Draft now read be reconsidered at the first Meeting of the Legislative Council of India after the 12th day of February 1852.

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

FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,

the 12th December 1851.

The following Draft of a proposed Act was read in Council for the first time on the 12th December 1851.

ACT No. — OF 1851.

*An Act for securing the Abkarry Revenue of Madras.*

For better securing the Abkarry Revenue of the Town and Suburbs of Madras, it is enacted as follows:

I. Regulation I. of 1813 of the Madras Code, and so much of Clause 159 of an Act of Parliament numbered Chapter LII. of the Statutes passed in the thirty-ninth year of King George the Third, as relates to the sale of Arrack or other spirituous liquors within the Town of Madras, and to the punishment of unlicensed traders in spirits or spirituous liquors within the said Town, are repealed.

II. The collection of the Revenue arising from the retail sale of spirituous or fermented liquors within the Town and Suburbs of Madras, shall be under the charge of the Collector of Madras, who shall perform the duties connected therewith under the control of the Board of Revenue.

III. The Collector may appoint Conicopolies, Pygusts, Jemadars, Peons, and other Officers for collection of the said Revenue and prevention of smuggling; and the Officers so appointed, besides their ordinary respective designations, shall be styled "Abkarry Officers."

IV. Every person who shall sell by retail any spirituous or fermented liquors within the Town and

Suburbs of Madras without a licence for that purpose under the hand and seal of the Collector of Madras, shall be liable to a fine not exceeding five hundred rupees for each sale, but this enactment shall not apply to wholesale dealers selling such small quantities of Beer, Wine, or Spirits, as may appear to the Collector to be intended only as samples.

V. A sale of European Spirits in a less quantity than two and a half gallons old Wine measure. (*i. e.* one dozen quart bottles,) and of Arrack or Rum, or any other Spirits manufactured to the eastward of the Cape of Good Hope, in a less quantity than one quart, and of English and Foreign Beer or Wine in a less quantity than six quart bottles and of Toddy in a less quantity than one quart, shall be deemed a retail sale within the meaning of this Act.

VI. The Board of Revenue shall have authority at all times to regulate the form and provisions of licences to be granted under this Act, and to alter and add to the conditions thereof; and each licence shall distinctly specify the kind or kinds of liquor the holder is authorized to sell, the manner in which and source whence such liquor is to be supplied to him, the excise duty not exceeding rupees 3-8-0 per gallon, which he shall pay upon it, whether it be provided by the Officers of Government or otherwise, or should a fee upon the licence be substituted for the said excise duty, the amount of such fee. The licence shall further specify the district or place, street or road, and house or shop in which the sale is to be carried on.

VII. The sale of Arrack or Rum, or other country Spirits, or of Toddy, in quantities larger than those specified for each article in Section V. of this Act, is prohibited; and every person who shall act in breach of this prohibition shall be liable to the fine prescribed in Section XV. for the illicit possession of these articles, but this prohibition does not apply to the sale of spirituous or fermented liquors imported into Madras under passes from the Collector, or other Officer duly empowered in that behalf, and supplied by wholesale to licensed retail dealers, or to the sale of Rum under bond for exportation by sea, and covered by a certificate to that effect.

VIII. Every person taking out a licence for the retail sale of spirituous or fermented liquors or intoxicating drugs under this Act, shall execute a counterpart engagement in exact conformity with the tenor of such licence.

IX. The Collector may withhold or recall a licence, if any of the conditions upon which the licence is granted be not complied with, or with the sanction of the Board of Revenue for any other cause, giving fifteen days' notice of such withdrawal; and any person selling by retail any spirituous or fermented liquor within the "Town and Suburbs of Madras," whilst such licence is withheld, or after it is recalled, shall be subject to all the penalties provided by this Act for the unlicensed sale of spirituous or fermented liquors.

X. No spirituous liquor manufactured Eastward of the Cape of Good Hope shall be removed from the Sea Custom House to any Warehouse, Shop, or private dwelling, or from one Warehouse, Shop, or private dwelling to another, without the Permit of the Collector of Madras, which Permit must accompany all liquors so removed, but persons having paid the Sea Custom Duty shall be entitled to dispose of such liquor by wholesale for exportation beyond the limits of Madras and its Suburbs, such export to be made under Permits, to be granted by the Collector of Madras at his discretion, and on proof to his satisfaction that the Spirits are intended to be exported.

XI. All spirituous liquors manufactured by the European method of distillation shall, when imported into the Town and Suburbs of Madras by land, be placed under the charge of the Collector of Sea Customs, who will have them gauged and tested. The

said liquors may be either kept in the custody of the Importer on his furnishing security for its exportation or sale, under the provisions of Section II. Act XXXII. of 1845, or in the joint custody of the Collector of Sea Customs and the Importer, or it may be deposited in the Sea Custom Warehouse on payment of the usual Warehouse rent. When kept in such joint custody, or deposited in such Warehouse as aforesaid, no security for its exportation or sale shall be required, and the amount and nature of the security required to be furnished when such liquors are kept in the custody of the Importer shall be fixed by the Governor of Fort St. George in Council, who shall also determine the time to be allowed for its exportation.

XII. It shall not be lawful for the Justices to grant a licence to open or establish, or keep open any Lodging House, Boarding House, Eating House, Punch House, Coffee Room, Tavern, Hotel, or any other House of Public Entertainment, within their Jurisdiction, in which any spirituous or fermented liquor may be sold to any person who has not taken out a licence for the retail sale of such liquor, and any such licence granted by the Justices shall become void whenever the licence for the retail of such liquor granted to such person shall be withheld or recalled by the Collector under this Act. Provided always, that on the representation of the Superintendent of Police to the Collector, that any such house of public entertainment as aforesaid is kept as a disorderly house, or that the keeper thereof is for any reason, or in consequence of misconduct, (such reason or misconduct to be specially assigned by the Superintendent,) unfit to receive or retain any such licence, then and in such case the said Collector shall forthwith revoke any licence already granted by him to such keeper of any such house of public entertainment.

XIII. The Collector, after demand made in writing, may levy any arrears of Tax, duty, or fee, due on account of any licence granted under this Act, by distress and sale of the Goods and Chattels of the person from whom the same is due, provided that no such arrears shall be recoverable after the end of two years next after the same shall have become due, or next after an acknowledgment of the same in writing shall have been given by the person by whom the same is payable.

XIV. A breach of any of the conditions of a licence granted under this Act shall, besides forfeiture of the licence, be punishable by a fine not exceeding Fifty Rupees, and such fine shall be recoverable from the licensed dealer, notwithstanding that such breach may have been owing to the default or carelessness of the servant or other person in charge of the shop or place of sale.

XV. Any person, not being a licensed dealer, having in his possession, and any person carrying within the Town and Suburbs of Madras any greater quantity of spirituous or fermented liquors, (excepting English and Foreign Beer, Wine, and Spirits,) than the quantity specified for each article in Section V., and not being protected by a Pass or Permit from the Collector, or other Officer duly empowered in that behalf, shall be liable to a fine not exceeding Five Hundred Rupees.

XVI. Beside the penalties above specified for the illicit sale, possession, and carrying of spirituous or fermented liquors, all such liquors found in the possession of any offender against this Act shall be seized and confiscated, together with the Vessels, Packages, and Coverings in which such liquors are found, and the animals and conveyances used in carrying them shall also be liable to seizure and confiscation.

XVII. Any Abkarry Officer above the rank of Peon, may enter, inspect, and search at any time, by



day or by night, for any of the purposes contemplated in this Act, the house or shop in which any licensed retail dealer shall carry on the sale of spirituous or fermented liquor under this Act.

**VIII.** Every person, holding a licence for the retail sale of spirituous or fermented liquors, shall keep such licence at the house or shop specified in the licence, and shall show the licence on the demand of any Abkarry Officer who shall desire to see the same; and any licensed dealer who shall refuse or be unable to produce his licence on the demand of any Abkarry Officer, shall be liable to a fine not exceeding Two Hundred Rupees.

**XIX.** Any Abkarry Officer may stop and detain any person having possession of or carrying in any Public Road, Street, Thoroughfare, or place, or in any open shop, any spirituous or fermented liquors without a Pass, or otherwise liable to confiscation under this Act, and may seize the liquors, with the Vessels, Packages, and Coverings in which the liquors are found, and the animals and conveyances used in carrying them.

**XX.** If the Collector has good reason to believe, either from information given by any Abkarry Officer or other person, to be taken down in writing, or from his own knowledge, or from the proceedings in any other case, that any spirituous or fermented liquor, liable to confiscation under this Act, is kept or concealed in any place, the Collector, by Warrant under his hand, may empower any Abkarry Officer, above the rank of Jemadar of Peons, between sunrise and sunset, but always in the presence of a Constable or other Officer of the Peace, to enter into every such place where any such liquor is suspected to be kept or concealed, and to seize and carry away such liquor, and in case of resistance, to break open any door, and to force and remove any other obstacle to such entry, search, seizure, or removal, as aforesaid, and to arrest and detain the owner or occupier of the premises, with all parties whom he suspects to be concerned in the unlawful keeping or concealing of such liquor whom he shall find on the premises. Provided that where there is ground to suspect that such liquor is unlawfully concealed in any apartment of the women, in houses belonging to the classes whose women do not appear in public, the Officer charged with the execution of the Warrant shall follow as closely as may be the rules for the seizure of property so concealed adopted by the Supreme Court of Judicature at Fort St. George.

**XXI.** All Constables and other Ministerial Officers of the Peace are required to aid the Abkarry Officers in the due execution of this Act upon Notice given or request made by any such Abkarry Officer; and any Officer who, without lawful excuses, shall refuse or neglect to assist as aforesaid, on being required to do so, shall be liable to the penalty prescribed by Section XXIX. of this Act for Abkarry Officers conniving at the escape of a person arrested under this Act.

**XXII.** Whenever an Abkarry Officer, duly authorized under this Act, shall arrest any person, or shall seize any spirituous or fermented liquor, or shall enter any house or shop for the purpose of searching for such illicit liquors, he shall carry the person arrested, with the illicit liquors seized, with all convenient despatch to the Collector, and shall, within twenty-four hours thereafter, make a full report to the Collector of all the particulars. And the Collector, after such further inquiry as he deems necessary, shall forthwith either release the person arrested, or send him in custody to the Superintendent of Police, or one of his Deputies.

**XXIII.** Every person who shall maliciously give false information against any person, for being engaged in the unlicensed sale of spirituous or fermented liquors, or for having in his possession, or carrying, or

in respect of there being in any house or shop any spirituous or fermented liquors, in contravention of this Act, shall be liable to a fine not exceeding Five Hundred Rupees, or to imprisonment in the Common Jail for a period not exceeding six months, or to both.

**XXIV.** Every person who shall obstruct or molest any Abkarry Officer, or any person acting in aid of such Officer, in the due execution of this Act, shall be liable to a fine not exceeding Five Hundred Rupees, and such person shall be further liable, if any affray or breach of the peace shall happen in consequence of his resistance, on conviction of the same before a competent tribunal, to such punishment as is prescribed by Law for cases of affray and Breach of the Peace, in addition to the penalty above prescribed for resistance of process.

**XXV.** Any Abkarry Officer who shall delay carrying to the Collector any person arrested, or any illicit liquors seized under this Act, or who shall neglect to report the particulars of an arrest, seizure, or search within twenty-four hours thereafter, shall be liable to a fine not exceeding Two Hundred Rupees.

**XXVI.** Any Abkarry Officer who shall vexatiously and unnecessarily seize the goods or chattels of any person on the pretence of seizing or searching for illicit spirituous or fermented liquors, or who shall vexatiously and unnecessarily arrest any person, or commit any other excess not required for the execution of his duty, shall be liable to a fine not exceeding Five Hundred Rupees.

**XXVII.** The provisions regarding Distilleries and Stills in Sections IV. V. VI. Regulation I. of 1820, of the Madras Code, and Act XXXII. of 1845, shall apply and be in force within the town and suburbs of Madras, except that the powers vested in the Criminal Judge by Section IV. Clause 5, and Section IX. Clause 9, Regulation I. of 1820, of the Madras Code, and in the Session Judge and Subordinate Judge of the Zillah, by Sections IV. V. Act XXXII. of 1845, shall be exercised within the said Town and Suburbs by the Superintendent of Police, and not by any such Criminal Session or Subordinate Judge.

**XXVIII.** It shall be competent to the Governor of Fort Saint George in Council, or to any Officer duly empowered by him in that behalf, to revise from time to time the forms of licences to be granted under Section IV. Regulation I. of 1820, of the Madras Code, for the establishment of Distilleries for manufacturing Rum, Arrack, or other Spirits, by process of distillation similar to the European process, and to introduce into such forms of licences such provisions and stipulations as may seem to be advisable, anything in Section II. Act XXXII. of 1845 to the contrary notwithstanding.

**XXIX.** Any Officer employed in the Abkarry Department who shall unlawfully release or connive at the escape of any person arrested under this Act, or connive at the sale of spirituous or fermented liquors without a licence, or by any licensed dealer contrary to the terms of such licence, or act in a manner inconsistent with his duty, for the purpose of enabling any person to do anything whereby any of the provisions of this Act may be evaded or broken, or the Abkarry Revenue be defrauded, shall be liable to a fine not exceeding Five Hundred Rupees.

**XXX.** Any Officer employed in the Abkarry Department who shall ask or take any gratuity not authorized by any law or order of Government, or of the Board of Revenue, in consideration of doing or of omitting to do any act in his official capacity, and any person who shall offer a bribe to any such Officer, in order to induce such Officer to act in a manner inconsistent with his duty, shall be liable for every such offence to a fine not exceeding Five Hundred Rupees.

**XXXI.** When any Goods or Chattels shall be seized by an Abkarry Officer, as liable to confiscation under this Act, such seizure shall, upon information

exhibited by order of the Collector, be heard and determined in a summary manner by the Superintendent of Police, or one of his Deputies, who shall cause the persons to whom such Goods and Chattels belong to be summoned to appear, and upon their appearance, or default, shall examine into the cause of the seizure thereof, and give judgment; and, if such judgment shall be for confiscation of the Goods or Chattels seized, shall issue his warrant to the Collector for the sale or disposal thereof, according to such orders as the Collector may receive from the Board of Revenue.

XXXII. Whenever any Goods or Chattels shall be seized as aforesaid, and within one calendar month no person shall appear before the Collector to claim the same, the Superintendent of Police, or one of his Deputies, shall examine into the cause of the seizure, at a place and time of which notice shall have been given by the Collector in the *Fort St. George Gazette*, and give judgment for the confiscation of such of the Goods and Chattels as upon such examination shall appear to him liable to forfeiture; and upon confiscation thereof shall issue his warrant for the disposal of them, as if the owner had been summoned to attend before the said Superintendent, or one of his Deputies.

XXXIII. All fines leviable under this Act shall be adjudged by the Superintendent of Police, or one of his Deputies, any of whom, upon information exhibited before him by order of the Collector, shall, within three calendar months next after the act by which the fine was incurred, and not afterwards, summon the parties accused, and upon their appearance or default, shall examine into the matter, and upon due proof made thereof by the voluntary confession of the parties, or by the oath or solemn affirmation (in cases wherein a solemn affirmation is receivable by law instead of an oath), of one or more creditable witnesses, shall give judgment accordingly; and, in default of payment of any fine to which an offender is adjudged, he shall be liable, by Warrant of the said Superintendent of Police, or one of his Deputies, to imprisonment in the Common Jail for a period not exceeding six months, or until the fine be sooner paid.

XXXIV. Whenever any person shall be convicted of an offence against this Act after having been previously convicted of a like offence, he shall be liable, in addition to the penalty attached to such offence, to imprisonment in the Common Jail, for a period not exceeding six months, and a like punishment of imprisonment not exceeding six months shall be incurred, in addition to the punishment which may be inflicted for a first offence, upon every subsequent conviction after the second.

XXXV. One half of all fines levied from persons convicted of the illicit possession, carrying, or sale of spirituous or fermented liquors, and of the proceeds from the sale of liquors, vessels, packages, conveyances, stills, &c., confiscated under this Act, shall, upon adjudication of the case, be awarded in such proportion as the Superintendent of Police, or one of his Deputies, adjudicating as aforesaid, may think proper, to the Officer or Officers who apprehended the offender, or seized the illicit liquors or other articles, and the other half shall be given to the informer; and if no fine be realized, the Board of Revenue may grant such reasonable reward, not exceeding the sum of Two Hundred Rupees, as may appear to them fit. Provided that the Board of Revenue may determine, by General Order, what class of Abkarry Officers shall receive rewards, and what classes shall have no title to share therein.

XXXVI. All fines levied under this Act, the disposal of which is not especially provided for, shall belong to Government; but the Officer adjudicating the case may grant any portion thereof, not exceeding one half, as rewards to informers, or as compensation to parties injured by any proceedings under this Act.

XXXVII. No writ of *Certiorari* shall be issued at the suit of any party out of the Supreme Court of Judicature, to supersede, stay, remove, or in any wise affect any information or judicial proceeding before the Superintendent of Police, or any of his Deputies, in pursuance of this Act; and no judgment thereupon shall be quashed, except for error of law apparent on the face of the judgment.

XXXVIII. All actions and prosecutions to be instituted against the Collector, or any Abkarry Officer, or any person acting in aid of any such Officer, for anything done in pursuance of this Act, shall be tried and determined in the Civil Courts established by the East India Company in the Zillah of Chingleput, notwithstanding that the cause of action, in respect of which such action is brought, arose, or the defendant therein reside, within the limits of the Town of Madras, and every such action shall be brought within three Calendar Months after the fact committed, and not afterwards, and notice in writing of such action, and of the cause thereof, shall be given to the defendant one Calendar Month at least before the commencement of the action, and no plaintiff shall recover in any such action, if tender of sufficient amends shall have been made before such action brought, or if after action brought, a sufficient sum of money shall have been paid into Court with costs by or on behalf of the defendant.

XXXIX. The Collector, in respect of the duties to be performed by him under this Act, shall have power to punish any contempt committed in his presence in open Cutcherry by the imposition of a fine not exceeding Two Hundred Rupees, commutable, if not paid, to imprisonment in the Common Jail for a period not exceeding one month. Provided that an appeal from any order passed under this Section, shall lie to the Board of Revenue, and the decision of the Board thereon shall be final.

XL. The following words and expressions in this Act shall have the several meanings hereby assigned to them, unless there be something either in the subject or context repugnant to such construction, 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, words importing the masculine gender only shall include females. The words "Collector of Madras" shall mean the Officer who may at any time be charged with the superintendence and collection of the Public Revenue within the Town of Madras, although such Officer may not be officially designated "Collector of Madras." The words "Town and Suburbs of Madras," shall include the Town of Madras, the limits of the Supreme Court of Judicature at Madras as declared and described by the 12th Section of Regulation II. of 1802, of the Madras Code, and the district comprised within eight miles beyond any part of those limits.

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 12th day of March 1852.

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

FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,

*the 12th December 1851.*

The following Extract from the Proceedings of the Hon'ble the President of the Council of India in Council, in the Legislative Branch of the Home Department, under date the 12th December 1851, is published for general information.

Read a second time the Draft of a proposed Act, dated the 11th July 1851, and published in the *Calcutta Gazette* of the 16th July 1851, for summary suits for arrears of rent, and sales of saleable tenures to be held within the judicial district in which the lands are situated.

**Resolution.**—The President in Council resolves that the following amended Draft on the subject be published for general information:—

*For the trial of Summary Suits for Arrears of Rent, and for the Sales of Saleable Tenures, within the Judicial District in which the Lands are situated.*

Whereas by Regulation VIII. of 1831 of the Bengal Code, the hearing and decision of summary suits or claims relating to arrears or exactions of rents were transferred from the Judges of the Zillah or City Courts to the Collectors of the several Districts; and whereas by Regulation VII. of 1832, of the Bengal Code, the superintendence of the sales of Putnee Talooks, and other saleable tenures of the class specified in Clause 1, Section 8, Regulation VIII. of 1819, was transferred to the Collector or Deputy Collector of Land Revenue, or Head Assistant to the Collector or Deputy Collector, subject to an appeal to the Commissioner of Revenue for the Division; and whereas by Act VIII. of 1835 the conduct of sales of Talooks or other saleable tenures in execution of summary decrees for rent, in conformity with Regulation VII. of 1799, was transferred to the Collectors of Land Revenue; and whereas doubts have been entertained as to the District within which such summary suits or claims should be decided, and such sales made, by reason that the jurisdiction of the several Zillah and City Courts is not continuous with the jurisdiction of the several Collectors of Land Revenue,—It is enacted as follows:—

I. No order in any such summary suit, and no such sale made as aforesaid, which has not been questioned before a Court of competent jurisdiction before the passing of this Act, on the ground of having been decided or made by a Collector having no jurisdiction therein, shall be liable to be annulled or disputed on that ground.

II. Where the lands which are the subject of such summary suits or such sales as aforesaid, are situate in a judicial district other than that of the Collector or Deputy Collector who receives the sudder malguzarree of such lands, all such summary suits and sales as aforesaid shall be tried and decided, or made by the Collector or Deputy Collector who has jurisdiction in the greater part of the judicial district in which the lands are situated.

III. Where the lands which are the subject of such summary suits or such sales as aforesaid are situate in a judicial district which is divided into two or more Collectorate districts, all such summary suits and sales as aforesaid shall be tried and decided, or made by the Collector or Deputy Collector who has jurisdiction in that part of the judicial district in which the lands are situated.

IV. Sections 9, 11, 13, 15, and 17 of Regulation VIII. of 1819, of the Bengal Code, shall be applicable to sales of under tenures under the Provisions of Act VIII. of 1835.

Ordered, that the Draft now read be reconsidered at the first meeting of the Legislative Council of India after the 12th day of February 1852.

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

FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,

the 19th December 1851.

The following Draft of a proposed Act was read in Council for the first time on the 19th December 1851.

ACT No. — OF 1851.

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

For consolidation and amendment of 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. The Rules, Ordinances, and Regulations for the good order and civil government of the Settlement of Fort William in Bengal, passed in Council, 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.
28th October 1814.	18th November 1814.
1st March 1816.	26th March 1816.
23rd March 1816.	13th April 1816.
16th 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.
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 or 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 non-compliance with the said order for any one month, 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 exceeding 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, and that no goods be taken upon such search which are not identified by the person who lost them, or his representative.

VII. Section VIII. of Act XXI. of 1839 is hereby repealed, and all persons charged with the offence of feloniously receiving goods or

money, 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 exceed twenty rupees. The value of the property stolen or received does not, according to the belief of the Justice, exceed twenty rupees, and all the powers and provisions of Act XXI. of 1839, except Section VIII. aforesaid, shall apply, so far as they are applicable, to the trial and conviction of any person charged under this Section with the offence of feloniously receiving goods or money, knowing the same to be stolen; provided always, and 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.

VIII. Every person who is accessory, before or after the fact, to any felony which is punishable on summary conviction before any Justice or Justices, is liable to be tried and convicted summarily before such Justice or Justices, on his own confession, or the oath of one or more credible witnesses, and the convicting Justice or Justices 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.

IX. 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 twelve stripes of a light rattan, instead of sentencing him to imprisonment.

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

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

XII. If complaint shall be made before any Justice that any person has within the said Town unlawfully taken or caused to be taken away, or has unlawfully enticed away, any married woman or female child unmarried, such female

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

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

Extension of Act XXI. of 1839 to the offence of receiving stolen pro-

child being under the age of thirteen years, out of the possession or protection and against the will of the husband of such married woman, or of the father, mother, or guardian of any such child, or any other person who has the lawful order, keeping, education, or government of such female child, for the purpose of living in adultery with her, or for purposes of prostitution, or of deflowering, or disposing of her in marriage, against the will of her husband, father, mother, or guardian, or such other person as aforesaid respectively, it shall be lawful for the said Justice to make an order for the immediate restoration of such married woman or 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 authorized 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 any married woman or female child as aforesaid, for any of the purposes aforesaid, for trial before the Supreme Court of Judicature.

XIII. 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.

XIV. 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 the term of 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.

XV. 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.

XVI. 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, (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.

XVII. 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.

XVIII. 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, in the discretion of the said Justice, to imprisonment, with or without hard labor, for a period not exceeding two Calendar months.

XIX. Every person who shall take or throw, or attempt to take or throw, into the Gaol, the Great Gaol, or into the 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 labor, for any period not exceeding two months.

XX. 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.

XXI. Every person who shall be found drunk in any street or public thoroughfare, and who while drunk shall be guilty of any riotous or indecent behaviour therein, and also every person who shall be guilty of any violent or indecent behaviour in any 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, in the discretion of the said Justice, to imprisonment, with or without hard labour, for any period not exceeding fourteen days.

XXII. Any Constable or Peace Officer belonging to the Calcutta Police 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 three Calendar months.

XXIII. 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, shall, for every such offence, on conviction before a Justice, be liable to imprisonment, with or without hard labour, for any period not exceeding one Calendar month.

XXIV. If any Superintendent or Deputy Superintendent or Inspector of Police shall report, in writing to the Chief Magistrate of Calcutta, or other head of the Police, that there are good grounds for believing any house, building, room, or other place within the Town to be kept or used as a common gaming-house or place, and if two or more persons shall make oath or solemn affirmation before a Justice of the Peace that the premises complained of are commonly reported and believed to be kept or used as a common gaming-house or place, the Chief Magistrate, or other head of the Police, by an order in writing, may authorize a Deputy Superintendent or Inspector of Police to enter any such house, building, room, yard, 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, yard, 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 de-

stroyed or otherwise disposed of by order of the Justice before whom the conviction is had, and all the moneys and securities for money 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 of the said gaming-house or place, shall be liable, on conviction before a Justice of the Peace, to a penalty not exceeding fifty rupees.

XXV. 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.

XXVI. 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.

XXVII. 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 or measure, shall be liable, on conviction before a Justice of the Peace, to a penalty not exceeding twenty rupees, and every such false and defective weight or measure shall be forfeited, and the said Justice shall cause the same to be destroyed.

XXVIII. 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 seize all such as he may suspect to be forfeited as false and deficient in weight.

XXIX. 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.

XXX. 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; 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; and the weapons so seized shall be taken before the Chief Magistrate, and forfeited to the Government, if the Chief Magistrate, in his discretion, shall think fit to declare them forfeited.

XXXI. The Chief Magistrate or other head of the Police, from time to time, 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 for preventing obstruction of the streets and thoroughfares within the Town of Calcutta 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 twenty rupees.

XXXII. Any Police Officer or Constable who shall 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.

XXXIII. 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.

XXXIV. 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 hereinafter mentioned.

XXXV. 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 the Superintendent or any Deputy Superintendent of Police 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.

XXXVI. 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 shall be specified in the recognizance, and the officer taking the recogni-

zance 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.

XXXVII. 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, the Justice shall have power 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.

XXXVIII. 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.

XXXIX. Upon any information or complaint to be laid or made before any Justice of the Peace 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.

XL. 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 his usual place of abode.

XLI. 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.

XLII. 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 or solemn affirmation 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

Amends may be awarded for false or malicious charges.

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, the Justice shall have power 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.

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.

Upon any information or complaint to be laid or made before any Justice of the Peace 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.

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 his usual place of abode.

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.

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 or solemn affirmation 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.

**XLIII.** All penalties and forfeitures and other sums of money imposed, awarded, or ordered to be paid by any Justice of the Peace under the

*Recovery of penalties and forfeitures.*  
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.

**XLVI.** No conviction, order, or judgment of any Justice or Justices 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 judgment, but the depositions taken supply that defect, the conviction, order, or judgment shall be aided by what so appears in such depositions.

**XLV.** 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 include 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.

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 19th day of February next.

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

FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,

the 26th December 1851.

The following Act is passed by the Hon'ble the President of the Council of India in Council, on the

26th December 1851, with the assent of the Most Noble the Governor General of India, which has been read and recorded.

Ordered, that the Act be promulgated for general information.

ACT NO. XVI. OF 1851.

*An Act for the Trial of Receivers of Stolen Property.*

For the trial of Receivers of Stolen Property where the principal is tried, or where the Property is found in their possession, or where the receiving takes place, It is enacted as follows:—

I. Every person who receives any Chattel, Money, Valuable Security, or other Property whatsoever, knowing the same to have been feloniously or unlawfully stolen, taken, obtained, or converted, whether charged as an accessory after the fact to the felony, or with a substantive felony, or with a misdemeanor only, may be dealt with, indicted, tried, and punished in any place in which he shall have, or shall have had, any such property in his possession, or in any place in which the party guilty of the principal felony or misdemeanor may by law be tried, or in the place where he actually received such property.

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

FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,

the 19th December 1851.

The following Draft of a proposed Act was read in Council for the first time on the 19th December 1851.

ACT NO. — OF 185 .

*An Act to repeal Act No. II. of 1848, and to confer certain Powers on the Commissioners for the Improvement of the Town of Calcutta.*

Whereas by Section of Act No. of 1852, it is, among other things, enacted that certain funds therein mentioned should be applied by the Commissioners for the improvement of the Town of Calcutta in the formation of Tanks and Aqueducts, for the conveyance of water to all parts of the Town, in the opening and widening of Streets and Squares in the Town; in filling up stagnant pools of water, holes in the earth, and all receptacles for filth and rubbish, and in removing obstructions on the roads, and to the free circulation of air; in cleansing, repairing, lighting, and watering the roads and streets; in constructing new drains and sewers, and cleansing and repairing, or filling up and abolishing old drains and sewers; and improving and embellishing the said Town generally: And whereas it is expedient that the said Commissioners should be invested with further powers for the effectual accomplishment of the purposes aforesaid, It is hereby enacted as follows:

I. Act II. of 1848, and the Bye Law or Regulation for the Good Order and Civil Government of the Settlement of Fort William in Bengal, passed in Council, on the 23th day of October 1814, are hereby repealed.

II. The said Commissioners may, subject to confirmation or disallowance by the Governor of Bengal, nominate, appoint, and employ, respectively, such Surveyors, Inspectors, and other necessary Officers and Servants as may be necessary or proper for the execution of the powers hereby vested in them; and such Surveyors, Inspectors, Officers, and Servants shall receive such salaries as to the Governor of Bengal shall seem meet.

III. The management and control over all the streets within the said Town of Calcutta, existing at the time of the passing of this Act, and of all parts of the said Town which shall hereafter become streets, and the

Commissioners to have management and control over streets, drains, &c.



pavements and other materials therein, and all erections and buildings, materials, implements, or other things provided for the said streets by or under the authority of the Governor of Bengal, or by the Magistrates of Calcutta, or by the said Commissioners, and also the management and control of all public tanks, aqueducts, and canals, and of all sewers and drains, whether public or private, now made or hereafter to be made within the said Town, are hereby vested in the said Commissioners for the purposes of this Act.

IV. The said Commissioners, by and with the consent of the Governor of Bengal, may lay out, make, build, and construct streets within the said Town, and may alter and widen narrow streets, regard being had to the compensation of owners of lands which may be required to be vested in the said Commissioners for any such purposes. Provided always, that it shall not be lawful for the said Commissioners, or any other person, to make or lay out any new street, unless the same, being a carriage road, be at least 50 feet wide, exclusive of the drains at the sides thereof, or, not being a carriage road, be at least 20 feet wide, exclusive of the drains at the sides thereof.

V. The said Commissioners, with the consent and approbation of the Governor of Bengal, shall pave and water such of the public streets existing in the said Town at the time of the passing of this Act, or at any future time, as they shall think fit, and it shall be lawful for the said Commissioners to excavate and provide convenient tanks or runs of water through the said Town, and to sink wells, and lay, erect, and place pipes, gutters, conduits, and pumps in any of the said streets, and may remove and alter the same when and as the said Commissioners shall think proper.

VI. The said Commissioners, by and with the consent of the said Governor of Bengal, may, by agreement or in conformity with the provisions of Act XXII. of 1847, purchase or take absolutely, or on lease for such terms as they may think fit, any water-works, streams of water, lands, fixtures, or other property, which the said Commissioners may deem it necessary to purchase or take for any work or purpose which they are required or authorized to do and execute under this Act, or the said Act No. of 1852, and when the said Commissioners take and purchase any lands for the purposes of this Act otherwise than with the consent of the owners and occupiers thereof, they shall, in exercising the powers so given, be subject to the provisions and restrictions contained in the said Act No. XXII. of 1847, and the said Commissioners shall make to the owners and occupiers of, and all other parties interested in, any such lands taken for the purposes of this Act, full compensation for the value of the lands so taken, and for all damages sustained by such owners, occupiers, and other parties, by reason of the exercise, as regards such lands, of the powers vested in the Commissioners by this Act, and the amount of such compensation shall be determined in the manner provided by the said Act No. XXII. of 1847, for determining questions of compensation with regard to lands purchased or taken under the provisions thereof; and all the provisions of the said Act No. XXII. of 1847 shall be applicable to determine the amount of any such compensation, and to enforce the payment or other satisfaction thereof.

VII. The Commissioners, by and with the consent of the Governor of Bengal, may sell or dispose of any lands or other property vested in or acquired by them under the powers herein, or in the said Act No. XXII. of 1847, contained, which it may appear to the Commissioners may be

properly sold or disposed of, and for completing and carrying any such sale of lands into effect, the Commissioners may make and execute a conveyance of the lands sold and disposed of as aforesaid unto the purchaser, or as he shall direct, and such conveyance shall be under the hands of three of the Commissioners, and under the seal of the Commissioners, and a receipt under the hands of three of the Commissioners shall be a sufficient discharge to the purchaser of any such lands for the purchase money in such receipt expressed to be received, and the money to arise from such sale shall be applied to such of the purposes of this Act as the Commissioners shall think fit.

VIII. The said Commissioners may from time to time, as they shall see fit, widen, deepen, embank, alter, arch over, amend, clean, and scour out all or any of the sewers or drains within the said Town, as may be necessary, and also cleanse and drain off into any sewers or drains, or otherwise abate all stagnant pools, ditches, tanks, and other receptacles of foul water and filth, existing within the said Town, whether the same be the private property of any person or persons or otherwise, and the said Commissioners, if they shall think fit, may take up, stop, fill in, and discontinue any sewers or drains which they shall deem useless or unnecessary.

IX. Every Commissioner, and the Surveyor to the Commissioners, with such subordinate Officers or persons as they may require, shall, when it shall be necessary or convenient for the purpose of making any survey or examination of any sewers or drains, or of making or repairing, or cleansing any, sewers, drains, or works within the said Town, or of carrying into execution any of the powers entrusted to the Commissioners by this Act, or Act No. of 1852, have full power and authority, at all reasonable hours in the day time, to enter, examine, and lay open, or to direct their subordinate Officers to enter, examine, and lay open, any house, building, or other erection, or any lands, without being liable to any action at Law or suit in Equity, or any other legal proceedings or molestation whatsoever, for or on account of such entry, examination, or works, or of anything done, or to be done in any part of such house, building, erection, or land, in pursuance of this Act. Provided always, that except in cases of emergency, none of the persons abovementioned shall enter, examine, or lay open any house, building, or other erection, or lands, which may be occupied at the time, unless with the consent of the occupier thereof, without previously giving the said occupier 24 hours' notice of their intended entry, and of the object thereof. Provided also, that compensation shall be made for any damage occasioned by such entry and works to all persons other than the owners and occupiers of any land or building in respect of which any private drain or sewer, or the state of drainage shall be inspected, cleansed, or repaired, and other than the owners or occupiers of any premises where any nuisance may exist, and other than the person who may have caused such nuisance; and provided also, that in case no nuisance shall be found to exist in or on the house, building, or other erection, or lands so entered, examined, and laid open as aforesaid, the said Commissioners shall, out of the rates and taxes aforesaid, cause the said house, building, or other erection, or lands, to be restored to the same state and condition, in all respects, as the same were in before they were so entered, examined, or laid open.

X. If any house, building, or wall, or anything affixed thereon, within the limits of the said Town, be deemed by the Commissioners, or their Surveyor, to be in a ruinous state, or badly built, or likely to fall, and also dan-

Commissioners empowered to make or widen streets.

Power to Commissioners to improve and cleanse, or to discontinue drains, &c.

Power to Commissioners to enter, examine, and lay open houses, lands, &c., for that purpose. Compensation in certain cases.

Power to Commissioners in case of ruinous or dangerous buildings.

gerous to passengers or the occupiers of neighbouring buildings, such Surveyor shall immediately cause a proper board or fence to be put up, for the protection of passengers, and shall cause notice in writing to be given to the owner of such house, building, or wall, or other thing, if he be known and resident within the said limits, and shall also cause such notice to be put on the door or other conspicuous part of the said premises, or otherwise to be given to the occupier thereof (if any), requiring such owner or occupier forthwith to take down, secure, or repair such house, building, wall, or other thing, as the case shall require; and if such owner or occupier do not begin to repair, take down, or secure such house, building, wall, or other thing, within the space of three days after such notice has been given or put up as aforesaid, and complete the same as speedily as the nature of the case will admit, the said Commissioners shall with all convenient speed cause all or so much of such house, building, wall, or other thing, as shall be in a ruinous condition, or badly built, or likely to fall, and also dangerous as aforesaid, to be taken down, repaired, rebuilt, or otherwise secured, in such manner as shall be requisite; and all the expenses of putting up every such fence, and of taking down, repairing, rebuilding, or securing such building, wall, or other thing, shall be paid by the owner thereof, if such owner can be found within the said limits, and if, on demand of the expenses aforesaid, he neglect or refuse to pay the same, then such expenses may be levied by distress on the goods and chattels of the owner of the said house, building, wall, or other thing, and any two Commissioners may issue their warrant of distress accordingly.

XI. If any such house, building, wall, or other thing, or any part of the same, be pulled down by virtue of the powers aforesaid, the Commissioners may sell the materials thereof, or so much of the same as shall be pulled down, and apply the proceeds of such sale in payment of the expenses incurred in respect of such house, building, wall, or other thing, and the Commissioners shall restore any overplus arising from such sale to the owner of such house, building, wall, or other thing, on demand; nevertheless the Commissioners, although they sell such materials for the purpose aforesaid, shall have the same remedies for compelling the payment of so much of the said expenses as may remain due after the application of the proceeds of such sale, as are hereinbefore given to them for compelling the payment of the whole of the said expenses.

XII. The said Commissioners, by and with the consent of the Governor of Bengal, may construct, make, and lay, or cause to be constructed, made, and laid, such reservoirs, canals, aqueducts, channels, tanks, sewers, drains, bridges, banks, conduits, machinery, engines, waste-gates, stop-gates, stop-cocks, sluices, tunnels, water-pipes, and other works, as shall, in their opinion, be necessary and proper for obtaining water and supplying the same to the said Town, and for the effectual draining and cleansing of the said Town, and for the properly flushing and cleansing out such sewers in and under, across all or any of the streets therein, whether dedicated to the public use or not, and if needful through and across all underground cellars and vaults which they may find under any of the said streets, doing as little damage as may be; and also to cause such and so many rings and openings to be made or left in the sides of the said sewers as will be sufficient for the making or branching any drain or drains from any or all of the houses built, and which may probably be built, adjoining, or near thereto, into any of the said sewers, as the said Commissioners shall think necessary for that purpose; and in case it shall be found necessary for completing any of the aforesaid works, to build, carry, continue the same in, into, through, or over any enclosed lands, or other place, not being a public way, it shall be lawful

for the said Commissioners to build, carry, or continue the same in, into, through, or over the said lands or other places accordingly, and the said Commissioners shall cause such sewers to communicate with and empty themselves into any public river, stream, canal, or watercourse, whether within or without the said Town, or shall cause the refuse from such sewers to be conveyed by an appropriate channel to the most convenient site for its deposit, collection, and sale, and its application as manure for agricultural purposes, or otherwise, as they shall deem most expedient, but so that the same shall in no case become a public nuisance or annoyance to the neighbourhood.

XIII. For the purpose of constructing any aqueducts for bringing water to the Town of Calcutta from any place without the local limits of the jurisdiction of Her Majesty's Supreme Court of Judicature, or for the purpose of making sewers or drains to communicate with or empty themselves into any public sewer, lake, stream, canal, or water-course, without the said limits, it shall be lawful, whenever a plan for any such aqueduct, sewer, or drain shall have been approved by the Governor of Bengal, for every Commissioner, and for the Surveyor and Secretary to the Commissioners, with such Assistants as they may require, to exercise in the construction of such aqueduct, sewer, or drain, throughout the line of country through which the said aqueduct, sewer, or drain is to run, all the powers which by this Act it is lawful for them to exercise within the said local limits, and which may be necessary for the construction of such aqueduct, sewer, or drain, without being subject to any action or molestation whatever for so doing; and it shall also be lawful for any Magistrate of any district through which the said aqueduct, sewer, or drain is to run, in furtherance of the construction of such aqueduct, sewer, or drain, to do such acts as it is by this Act lawful for a Magistrate of the Town of Calcutta to do in furtherance of any work to be executed by the said Commissioners within the said local limits.

XIV. It shall be lawful for the said Commissioners, instead of executing any of the works which by this Act they are authorized to execute by themselves, their Servants, and Assistants, to execute the same by contract with any individual or Company who may be willing to undertake the same, and in that case it shall be lawful for such individual or company to exercise and enjoy all the powers and privileges which by this Act it is lawful for the said Commissioners to exercise and enjoy in the execution of any such works, Provided always, that no Commissioner or Officer, or Servant of the Commissioners, shall be in any wise concerned or interested in any contract or work made with or executed for the Commissioners, and if any such Commissioner, or Officer, or Servant, be so concerned or interested, or shall under colour of his office or employment exact, take, or accept any fee or reward whatsoever, other than his proper salary, wages, fees, and allowances, he shall be incapable of afterwards holding or continuing in any office or employment under the Commissioners, and shall forfeit and pay the sum of Company's Rupees five hundred, which may be recovered by any person, with full costs of suit, by action of debt.

XV. The said Commissioners may, with the consent and approbation of the said Governor, contract and agree with any person for supplying the said Town, or any part thereof, with water, and may also, with the like consent and approbation, grant to any person contracting to supply the said Town, or any part thereof, with water, a lease, for any term not exceeding twenty-one years, of any

Power to Commissioners when constructing drains and aqueducts without the Jurisdiction of Supreme Court.

Power to Commissioners to execute works by contract.

Power to Commissioners to contract for supply of water, and to grant leases for that purpose.

water-works, machinery, streams, waters, lands, tenements, easements, rights, privileges, and advantages, belonging to or acquired by, or which may belong to or be acquired by, or be vested in the said Commissioners, under any of the powers or authorities in this or any other Act contained, so as to enable such person or persons so contracting the more effectually and efficiently to procure and supply water in pursuance of any such contract or agreement; and every such lease so to be granted by the said Commissioners may be made subject to such conditions and stipulations as to the supplying water, for the purposes of this Act, or any of them, as may be agreed upon between the respective parties thereto. Provided always, that no lease or contract made in pursuance of the powers hereinbefore contained shall be valid or effectual, for any purpose whatsoever, unless the said Governor's approval of the same shall be testified by writing, endorsed on such lease or contract, under the hand of the Secretary to the Government of Bengal.

**XVI.** It shall be lawful for the said Commissioners, their Secretary, Surveyor, or other Officer, subject to the restrictions in this Act contained, to enter upon the lands of any corporation or person adjoining to, or being within the distance of one hundred yards of the works by this Act authorized to be made, or any part thereof, for the purpose of depositing upon such lands, or any part thereof, any soil, gravel, sand, lime, brick, stone, or other materials, or for any other purposes connected with the formation of the said works, without making any previous payment, tender, or deposit, the said Commissioners, their Secretary, Surveyor, or other Officer, doing as little damage as may be in the exercise of the several powers hereby granted to them, and making compensation for such temporary occupation or temporary damage of the said lands to the owners and occupiers thereof, from time to time, and as often as any such temporary occupation shall be taken, or any such temporary damage done, and making compensation to the owners also for the permanent injury (if any) to such lands; and in case the parties differ respecting the amount of the compensation, or the respective shares of several claimants of compensation, then and in every such case the said disputes respectively shall be settled and adjusted by arbitration, or by the verdict of a Jury, summoned and assembled in manner provided in Act No. XXII. of 1847. Provided always, that before the said Commissioners make any such temporary use as aforesaid of the lands adjoining or lying near to the said works, they shall give fourteen days' notice of such their intention to the owners and occupiers of such lands, and shall separate and set apart by sufficient fences so much of the lands as shall be required to be used as aforesaid from the other lands adjoining thereto.

**XVII.** The said Commissioners shall make full compensation out of the rates and taxes to be levied by them to all persons sustaining any damage by reason of the exercise of any of the powers vested in the Commissioners, or other Officers or Servants, under and by virtue of this Act.

**XVIII.** It shall be lawful for the said Commissioners to direct any prosecution before any Court or Justice of the Peace for any public nuisance whatsoever which shall be permitted or suffered within the said Town, and to order proceedings to be taken for the recovery of any penalties, and for the punishment of any persons offending against the provisions of this Act, and to direct and order the expenses of such prosecutions and other proceedings to be paid and borne by and out of the funds placed at their disposal under the provisions of this or any other Act.

**XIX.** It shall be lawful for the said Commissioners, if they shall not think fit to take any other proceedings prescribed by this Act, to prefer any bill of indictment or information, or to take any other proceedings against any person who shall obstruct or molest the said Commissioners or their Secretary, Surveyor, or other Officer or servant, or any workman or other person employed by them in the performance and execution of their or his duty, under or by virtue or in consequence of this Act, or who shall steal, take, or carry away, or wilfully deface or injure any property, article, or thing belonging to the said Commissioners, and in every such case it shall be sufficient to state generally the property, article, or thing, in respect of which such proceeding shall have been taken, to be the property of the said Commissioners.

**XX.** It shall be lawful for any of the Commissioners, their Secretary, Surveyor, Inspectors, Overseers, or any servants or persons employed by them, and for any Inspector of Police, or Policeman employed in the said Town, and such other person or persons whom he or they shall call to his or their assistance, without any summons, or warrant, or other authority than this Act, to seize and detain any unknown person who shall commit any offence against the provisions of this Act, and to take him before any Justice of the Peace, who is hereby required to proceed and act with respect to such offender or offenders according to the provisions of this Act.

**XXI.** The Commissioners, or any one of them, or any person appointed by them for that purpose, may, at all reasonable times, with or without Assistants, enter into and inspect any market, building, shop, stall, or place, kept or used for the sale of butcher's meat, poultry, fish, or vegetables, or as a slaughter-house, and may examine any animal, carcass, meat, poultry, game, flesh, fish, or vegetables which may be therein, and in case any animal, carcass, meat, poultry, game, flesh, fish, or vegetables appear to be intended for the food of man, and to be unfit for such food, may seize, remove, and destroy the same, at the expense of the owner thereof, or the owner, occupier, or farmer of any such public market, bazar, slaughter-house, or private shop or stall within the Town, wherein the same shall be exposed, or allowed to be exposed for sale.

**XXII.** The Commissioners, or their Surveyor, shall have full power and authority to remove or order the removal of any wall, fence, rail, post, or other obstruction in any street within the said Town, whether the proprietary right to such street shall be in dispute or not; provided always, that nothing in this Act shall be construed to give the said Commissioners or their Surveyor power to remove such wall, fence, or other obstruction after the decree or order of any competent Court has declared the land, walled, fenced, or railed in, to be private property.

**XXIII.** When any private tank shall appear to the Commissioners to be offensive to the neighbourhood, or unwholesome, it shall be lawful for the said Commissioners to require by notice in writing the owner thereof to cleanse or fill up the same, and if the said tank shall remain uncleansed or not filled up for seven days after such notice, it shall be lawful for the said Commissioners to enter into and upon the adjoining lands, and to cleanse or fill up the said tank as they shall think fit, and the expense incurred thereby shall be paid by the owner of such

Power to Commissioners to prefer bill of indictment in certain cases.

Power to Commissioners to arrest unknown offenders without warrant.

Power to Commissioners to enter and inspect bazars, slaughter-houses, &c., and to seize unwholesome articles exposed for sale.

Power to Commissioners to remove obstructions in streets.

Power to Commissioners to fill up unwholesome tanks.

Power to Commissioners to enter on lands adjacent to works, &c.

Power to Commissioners to make compensation out of rates, &c.

Power to Commissioners to prosecute in certain cases.

tank, to be recovered in a manner hereinafter mentioned.

XXIV. The Commissioners may affix on or to the wall of any house or compound, or in or to any wall within the said Town, as they shall think fit, any board or metal plate, to indicate the name of the street in which such house, compound, or wall is situate.

XXV. It shall be lawful for the said Commissioners, or their subordinate Officers, as they shall think fit, to kill and destroy all dogs that may be found loose in the said streets, and not accompanying their owners, or some person in charge of them.

XXVI. The said Commissioners shall, so far as the funds at their disposal will admit, keep in good and sufficient repair every street, now or at any future time existing in the said Town.

XXVII. When any of the streets, sewers, or drains in the said Town are being made, or shall be under repair, the Commissioners, or their Surveyor, or other subordinate Officer, shall take proper precautions against danger, by shoring up and protecting the adjoining houses, and shall fix and place, or cause to be fixed and placed, such and so many bars, chains, or posts, across or in any of the said streets, to prevent the passing and repassing of carriages, carts, or other vehicles, cattle, or horses, during the time of such works and repairs being carried on, as shall be necessary, and the said Commissioners, and their said Surveyor, shall cause any sewer or drain, or other works, during the construction or repair thereof by them, to be well and sufficiently lighted during the night, to prevent accidents.

XXVIII. The said Commissioners, so far as the funds at their disposal will admit, shall provide lamps for lighting such parts of the said Town as the said Commissioners shall consider to require the same, and shall keep the said lamps in fit order for public use, and shall keep and employ a sufficient number of persons to cleanse, prepare, repair, and light the same, and shall also from time to time, as shall be required, increase or otherwise alter the number and situation of the said lamps, as to them shall appear necessary for the lighting of the said Town.

XXIX. The said Commissioners, and their said Surveyor, and other Officers, shall cause all the public streets of the said Town, together with the foot-pavements or foot-paths therein, from time to time to be properly swept and cleansed, and all dust, dirt, soil, ashes, rubbish, and filth of every sort, which may be found thereon, to be collected and removed therefrom at convenient hours and times, and shall cause all or any of the privies, cess-pools, and drains within the said Town to be cleansed and emptied in a sufficient and proper manner by the owners or occupiers of the premises; and the said Surveyor, or other subordinate Officer of the Commissioners, shall give such orders and directions to the owners and occupiers aforesaid as to the said Surveyor or other Officer as aforesaid, acting under the orders and control of the said Commissioners, shall appear proper and necessary.

XXX. The said Commissioners, and the owners of any private drains in the said Town, shall, by providing proper traps, or other coverings, or by ventilation, or by such other ways and means as shall be practicable for that purpose, prevent as far as possible the effluvia of sewers and drains from exhaling from gully-holes, gratings, or any other openings what-

soever of drains or sewers in streets or other places, and in case the owner of any private sewer or drain shall neglect or delay so to do, the Surveyor of the said Commissioners shall give him notice to prevent as far as possible the effluvia of such sewer or drain from so exhaling, and if the same shall not be done by such owner within ten days after such notice shall have been given him, the said Surveyor shall forthwith provide and apply proper traps or other coverings, or such other means as aforesaid, so as effectually to prevent such effluvia from exhaling, and the expense incurred thereby shall be paid by the owner of such sewer or drain, to be recovered in manner hereinafter mentioned.

XXXI. If upon the representation of the Surveyor of the Commissioners, and after inquiry by such other ways and means as the Commissioners may think fit to direct, the said Commissioners shall certify, (such certificate to be published in the Government Gazette, and in one of the English and Bengallee newspapers respectively, usually circulated within the town.) that any burial-ground situated within the said Town is in such a state as to be dangerous to the health of persons living in the neighbourhood thereof, or that any church or other place of public worship within the Town is dangerous to the health of persons frequenting the same, by reason of the state of the vaults or graves within the walls of or underneath the same, and that sufficient means of interment exist within a convenient distance from such burial-ground, church, or place of public worship, it shall not be lawful, after a time to be named in such certificate, to bury, or permit, or suffer to be buried, any further corpses or coffins in, within, or under the ground, church, or place of worship to which the certificate relates, except in so far as may be allowed by such certificate, and whosoever, after notice of such certificate, buries, or causes, permits, or suffers to be buried, any corpse or coffin, contrary to this enactment, shall for every such offence be liable, on conviction before a Justice of the Peace, to a penalty not exceeding Company's Rupees two hundred.

XXXII. No vault or grave shall be constructed or made within the walls of or underneath any church or other place of public worship built in the said Town after the passing of this Act, and no burial-ground shall be made or formed within the said Town after the passing of this Act without the consent of the Commissioners first had and obtained, and whosoever shall bury, or cause, permit, or suffer to be buried any corpse or coffin in any vault, grave, or burial-ground constructed, made, or formed contrary to this enactment, shall for every such offence be liable to a penalty not exceeding Company's Rupees five hundred, which may be recovered by any person, with full costs of suit, in an action of debt.

XXXIII. The said Commissioners, when executing any works hereby authorized to be made, shall, at their own expense, make and provide a sufficient number of convenient roads, ways, watering-places, wells, water-courses, drains, and channels for the irrigation and for the use of the adjoining lands, and for irrigating the same in those parts where the present roads, ways, watering-places, wells, water-courses, drains, and channels shall and may be taken away or interrupted, injured, or rendered inconvenient or useless by reason of the execution of the said works, and in case of any difference arising between the said Commissioners and the owners of such adjoining lands, such difference shall be settled by arbitration

or by the verdict of a jury summoned and assembled in manner provided in Act No XXII. of 1847.

**XXXIV.** The Commissioners or any one of them may sue and be sued at law and in equity in the name of their Secretary for the time being, and no action or suit to be brought or commenced by or against such Secretary in manner aforesaid, shall abate or be discontinued by the death, resignation, or removal of such Secretary; and no execution shall issue or be had in any such action or suit against such Secretary until six months' notice shall have elapsed after final judgment in such action or suit shall have been obtained, and every such Secretary, in whose name or by or against whom any such action or suit shall be brought, commenced, or sued, shall be fully reimbursed and paid all such costs, charges, damages, and expenses as by the event or in consequence of any action, suit, or proceeding he shall pay, sustain, or be put into, or become chargeable with or liable to by reason of his being plaintiff or defendant as aforesaid, or of his name being used as aforesaid, by and out of the funds under the control of the Commissioners; and if any person against whom the Commissioners shall have any claim or demand, take the benefit of or become subject as an insolvent to the operation of any Act for the Relief of Insolvent Debtors, the Secretary of the Commissioners in all proceedings in the insolvency may represent the Commissioners and act in their behalf in all respects as if such claim or demand had been the claim or demand of such Secretary, and not of the Commissioners.

**XXXV.** The Secretary of the Commissioners being the plaintiff, prosecutor, or defendant, or otherwise acting in any action, suit, or proceeding as aforesaid, shall be competent to be a witness therein, in the same manner as he might have been if his name had not been made use of as the plaintiff, defendant, or otherwise in any such action, suit, or proceeding.

**XXXVI.** No writ or process shall be issued out against or served upon any Commissioners or any Secretary, Surveyor, or other Officer or person whomsoever, acting under the direction of the Commissioners for anything done or intended to be done under the powers of this Act, until the expiration of one month next after notice in writing shall have been delivered to him or left at his office or place of abode, explicitly stating the cause of action, and the name and place of abode of the intended plaintiff, and of his attorney or agent in the cause, and upon the trial of any such action the plaintiff shall not be permitted to go into evidence of any cause of action except such as is stated in the notice so delivered, and unless such notice be proved, the Court shall find for the defendant, and every such action shall be brought or commenced within six months next after the accrual of the cause of action, and not afterwards; and if any party shall have committed any irregularity, trespass, or other wrongful proceedings in the execution of this Act, or by virtue of any power or authority hereby given, and if before action brought in respect thereof such party shall make tender of sufficient amends to the party injured, such last-mentioned party shall not recover in any such action when brought, and if no such tender shall have been made, it shall be lawful for the defendant in such action, by leave of the Court where such action shall be pending, at any time before issue joined, to pay into Court such sum of money as he shall think fit, and thereupon such proceedings shall be had as in other cases where defendants are allowed to pay money into Court.

**XXXVII.** No matter or thing done, or contract entered into by the Commissioners, or any one of them, or by any Secretary, Surveyor, or other Officer or person whomsoever, acting under the direction of the Commissioners, shall, if the matter or thing were done, or the contract were entered into *bonâ fide* for the purpose of executing this Act, subject them or any of them personally to any action, liability, claim, or demand whatsoever, and any expense incurred by any such Commissioners, Secretary, Surveyor, or other Officer or person acting as last aforesaid, shall be borne and repaid out of the funds under the control of the Commissioners.

**XXXVIII.** All the streets existing within the said Town at the time of the passing of this Act, and all parts of the said Town which shall hereafter become streets, and also the pavements, stones, and other materials therein, and all erections and building materials, implements, or other things provided for the said streets, by or under the authority of the Government of Bengal, or by the Magistrates of Calcutta, or by the said Commissioners, and also all public sewers and drains within the said Town, together with all works, materials and things therewith connected and belonging, existing in the said Town at the time of the passing of this Act, or which shall hereafter be constructed and made therein by the said Commissioners or otherwise, and also all canals, aqueducts, conduits, tunnels, water-works, cisterns, pumps, pipes, tanks, reservoirs, and wells which now are or shall hereafter be provided, or lawfully applied to public use, and which are not the property of any private person, together with all buildings, engines, works, materials, and things therewith connected, existing in the said Town at the time of the passing of this Act, or which shall hereafter be constructed and made therein at the cost of the said Commissioners or otherwise, and also all lands surrounding and belonging to public tanks, and slips of ground alongside of any street, drain, or aqueduct, not the property of any private person, and also all lands belonging to the late Lottery Committee and not legally appropriated, and also all dirt, dust, dry and liquid filth, ashes and rubbish to be collected from the streets, houses, privies, sewers, and cess-pools, and elsewhere within the said Town, shall be the property of, and are hereby vested, in the said Commissioners, as Trustees for the purposes of this Act.

**XXXIX.** Nothing in this Act contained shall be construed to render lawful any act or omission on the part of any person which is, or but for this Act would be, deemed and adjudged to be a nuisance at common Law, nor to exempt any person guilty of a nuisance at common Law, from prosecution or action in respect thereof. Provided always, that if any person convicted of an offence under this Act, shall have paid the whole amount adjudged to be paid under such conviction, and the costs thereof, or shall have suffered imprisonment in respect of such offence, in every such case he shall be released from all further or other criminal proceedings for the same offence.

**XL.** It shall be lawful for any person, at his own expense, to make or branch any drain into any of the sewers vested in the said Commissioners, or authorized to be made by virtue of this Act, or otherwise acquired by the said Commissioners, such drain being made of such a size, and in such a manner of communication in all respects as the said Surveyor of the said Commissioners shall direct, and for that purpose to take up and remove so much of the pavement and other materials of any street as

Commissioners and their servants not to be personally liable when act done *bonâ fide*.

Streets, drains, filth, &c., the property of Commissioners as Trustees.

Act not to exempt parties guilty of nuisance from prosecution or action.

Parties may make branch drains into public, as Surveyor of Commissioners shall order. Penalty for offences against this Section.

may be required, unless the said Commissioners shall consent and agree, which they are hereby authorized to do, to form so much and such portion of such drain as shall lead from the point of communication in such sewer to the extremity of such street, and in case any person shall make or branch any drain into any of the said sewers so vested in the said Commissioners, or authorized to be made, under and by virtue of this Act, of a different size or in a different manner and form of communication than shall be directed or appointed by the said Surveyor, every person so offending shall, for every such offence, forfeit and pay, on conviction before a Magistrate, a sum not exceeding fifty rupees, and in default of payment shall be imprisoned, with or without hard labour, for any period not exceeding one month, and the said Magistrate shall order the said person so offending to alter such drain as required by the said Commissioners within ten days, and in default the said Commissioners shall, at the expense of the maker of such drain, alter or destroy the same as they shall think fit, and in case the expense of making such alteration or destruction shall not be paid by the owner or maker of such drain, the expense incurred thereby shall be recovered in manner hereinafter mentioned.

**XLII.** It shall be lawful for the said Commissioners to contract and agree with the owners of any houses or other tenements within the said Town, that any drains required to be constructed and made by such owners shall be constructed and made by the Surveyor of the said Commissioners, and the cost price of making such drains (as certified by the said Surveyor of the said Commissioners) shall be repaid by such owners to the said Commissioners, and in default of such payment the same may be recovered in the manner hereinafter provided.

**XLIII.** Before beginning to dig or lay the foundations of any new house, building, or wall within the said Town, or to rebuild any house, building, or wall therein, contiguous or near to any street, and not being within the compound wall of any premises, and also before making any sewer or drain for the purpose of draining water directly or indirectly from any land or tenement into any sewer under the jurisdiction of the said Commissioners, fourteen clear days' notice in writing shall be given to the Secretary to the said Commissioners by delivering the same to him or leaving it at his office by the person intending to build or re-build such house, building, or wall, or to make such sewer or drain, and every foundation of any such house, building, or wall, and the drains within the same, shall be laid at such level as the said Surveyor of the said Commissioners shall direct, and so as that no part of the said house, building, or wall shall project or encroach into or over the adjoining street or drain, and so as that the said drains may be properly built with reference to the adjoining public drains, and every such branch drain shall be made in such direction, manner, and form, and of such materials and workmanship as the said Surveyor shall order, and the building or re-building of any such house, building, or wall shall be under the survey and control of the said Commissioners and their Surveyor, so far as may be necessary to prevent any projection or encroachment in or over any street or drain, and to insure that the level of the drains within such house, building, or wall shall be properly built with reference to the public drains; and in default of such notice as aforesaid, or if such building or drain shall be begun, or made without, or in any respect contrary to, any order of the said Surveyor, or of the provisions of this Act, it shall be lawful for the said Commissioners to cause such building to be demolished, and to cause such drain to be re-laid, amended, destroyed, or re-made, as

the case may require, and to cause the expenses thereof to be levied and re-paid to them from and by the owner thereof in manner hereinafter provided.

**XLIII.** Every person, upon conviction before any Justice of the Peace, on the testimony of one or more credible witnesses, shall be liable to a penalty of not more than Fifty Rupees, or in default of payment thereof, to imprisonment for any term not exceeding one month, who, within the limits of the said Town, shall commit any one of the following offences; (that is to say.)

1. Every person who shall throw or put, or cause, or order, or allow his servants to throw or put, or from whose premises shall be thrown or put, any dirt, dung, mud, dust, ashes, garden or stable refuse, or rubbish of any kind, or the carcase of any dog or other animal, or any flesh or other part of an animal, or any animal matter, upon any of the public streets, except between the hours of midnight and seven in the morning.

2. Every person who shall keep, or allow to be kept, for more than twenty-four hours, any dirt, dung, mud, dust, bones, ashes, night-soil, or other rubbish of a perishable and noisome kind, in or upon any house, out-house, yard, or ground occupied by him.

3. Every person, being the owner or occupier of any private tattee, drain, sewer, cess-pool, tannery, or other receptacle of filth, who shall neglect or refuse to keep the same in a clean and proper state, or to employ proper means to remove any noisome smell or the filth therefrom.

4. Every person, being the owner or occupier of any house, hut, or building, whether tenatable or otherwise, who shall suffer the same to be in a filthy and unwholesome state, or overgrown with rank and noisome vegetation.

5. Every person who shall cause or allow the water of any sink, sewer, or drain, or other offensive liquid matter belonging to him, or running through, or being on his land, to run, drain, or be carried into or upon any of the streets, tanks, aqueducts, or reservoirs belonging to the Commissioners, or who shall commit or cause any act whatsoever whereby the water provided for the domestic use of the inhabitants of the town shall be in any way fouled or corrupted, or who shall throw or put, or cause, or order, or allow his servants to throw or put, or from whose premises shall be thrown or put, any dirt, dung, mud, dust, ashes, night-soil, garden or stable refuse, or other rubbish, into any of the public sewers or drains, or into any reservoirs, tanks, aqueducts, or other water-works belonging to the Commissioners.

6. Every person who shall have or keep any common tattee, privy, or urinal, on any ground owned or occupied by him within the Town, without a licence first had from the Commissioners, under the hand of their Secretary, such licence being granted for one year, and renewed or not every year, according to the discretion of the Commissioners.

7. Every person, being the owner or farmer of any licensed tattee, privy, or urinal within the said Town, who shall suffer such tattee, privy, or urinal to be kept in a filthy and unclean state, or shall neglect to employ proper means for cleaning and regulating it.

8. Every person who shall wantonly or wilfully destroy, injure, or deface any of the lamps, or lamp-posts, in the said streets, or extinguish any light therein, or abstract or take away from any of the said lamps any oil or other matter or thing therein, or any part thereof, without the order of the said Commissioners or of their said Surveyor, or who

Penalties for certain offences in the streets.

For keeping dirt, &c. in houses.

For neglecting to keep drains, &c. clean.

For allowing house or ground to be in a filthy or unwholesome state.

For allowing offensive liquids to drain into tanks or water-works.

For keeping common privy without licence.

For keeping common privies filthy.

For destroying lamps or street-boards, &c.

shall wantonly or wilfully destroy, injure, or deface any board bearing on it the name of any street, or the number of any building or land within the said Town, or any notice of the said Commissioners fixed or posted up in any public place.

9. Every person who shall displace, take up, or make any alteration in the pavements, flags, stones, fences, posts, or other materials of any foot or carriage-way in any street, without the consent in writing of the said Commissioners, or of their said Surveyor, or who shall cause any obstruction to or make any encroachments upon any street or upon any sewer, drain, aqueduct, or space of ground alongside a street or drain.

10. Every person who shall take down or remove any fences or boards, or any bars, chains, or posts erected by the said Commissioners, or extinguish any light attached to or connected with the said fences, boards, bars, chains, or posts, without the authority or consent of the said Commissioners or their Surveyor.

11. Every person who shall carry, or cause to be carried, in carts, pots, handies, or other vessels, any night-soil or urine, or other noisome or offensive matter, through the public streets, except between the hours of midnight and eight in the morning, or who shall carry, or cause to be carried, any night-soil or urine in such manner that any offensive smell or drainings issue therefrom, or who shall place or set down in any public place any vessel containing night-soil or urine, or who shall carry, or cause the same to be carried, in any other than covered carts or vessels.

12. Every person who shall bathe or wash any part of his person in any public street, or upon or in any of the tanks, reservoirs, aqueducts, water-works, or drains belonging to the Commissioners, except in such of the said tanks, reservoirs, aqueducts, water-works, or drains as the Commissioners shall set apart for that purpose.

13. Every person who shall wash, or cause to be washed, any horse, dog, or other animal, or any cloth, wearing apparel, leather, or skin of any animal, or any foul or offensive thing in or near any tanks, reservoirs, aqueducts, water-works, or drains belonging to the Commissioners, or on or in the road adjoining thereto, except in such of the said tanks, reservoirs, aqueducts, water-works, or drains as the said Commissioners shall set apart for that purpose.

14. Every person who shall wilfully and indecently expose his person, or who shall commit nuisance in any of the public streets.

15. Every person, being the owner or occupier of any house, hut, or building within the Town, who shall cause or allow any water or liquid matter from or on such house, hut, or building to flow or be carried through pipes, gutters, water-spouts, or other means on any part of any public street, or on any place but his own land, or the public drain, or who shall refuse or neglect to remove or alter the direction of any such pipe, gutter, or water-spout, after the expiration of ten days' notice for that purpose given by the Surveyor of the said Commissioners.

16. Every person, being the owner or occupier of any house, hut, or building, who shall cause or allow any verandah, balcony, sunshade, or other part of any house, hut, or building, to overhang and project into any public street or public place, at a height of less than eleven feet from the level of the roadway, or to a distance exceeding four feet from the house, and who

shall refuse or neglect to take down and remove such verandah, balcony, sunshade, or other projection, after the expiration of fifteen days' notice for that purpose given by the Surveyor.

17. Every person who shall, after the passing of this Act, erect or set up any verandah, balcony, sunshade, or other projection of any kind, which may overhang and project into the road at any height and to any distance, without licence first obtained from the Commissioners, under the hand of their Surveyor.

18. Every person who shall wash or cleanse, or cause, or order, or allow his servants to wash or cleanse his carriage or other conveyance, or horse or other animal, or whose carriage or other conveyance, or horse or other animal shall be washed or cleansed in any public street or other public place.

19. Every person who shall place, set up, or build in any public street within the Town any board or scaffolding, or post, bar, rail, boards, or other thing, by way of inclosure, for the purpose of making mortar, or of depositing, sifting, screening, or slackening any bricks, stone, lime, sand, or any other materials for building or repairing any house or other building, or for any other purpose whatsoever, without licence first obtained from the Commissioners under the hand of their Surveyor, or who shall set up or build the same in any other manner, or allow or cause the same to be continued for any longer time than shall be allowed or expressed in such licence, or who shall cause or allow any of the building materials or other things to extend beyond the distance expressed in the licence.

20. Every person who shall have been allowed by the Commissioners to set up any scaffolding, or deposit any bricks, stone, lime, sand, or other building materials on the public streets, and who shall not cause a light to be set up every night from sunset to sunrise on every such erection or obstruction.

21. Every person who shall build any wall, or erect any fence or obstruction, or set up any post, so as to be an obstruction in any street, whether the proprietary right to such street shall be in dispute or not.

22. Every person who shall set out, place, or expose, or cause to be set out, placed, or exposed, whether for sale or otherwise, any stall, booth, show-board, basket, cask, or meat, fish, vegetable, fruit, groceries, or any other merchandize or goods of any kind, or any stone, bricks, earthen-ware, hard-ware, timber, or any other thing whatsoever, whether animal, vegetable, or mineral, in or upon any of the public streets, or in, or over any drain, sewer, or aqueduct.

23. Every person who shall sift or clean, or cause to be sifted or cleansed, or exposed for any other purpose, any cotton, grain, seeds, rice, coffee, onions, or any other vegetable matter whatsoever, or who shall sift brickdust or lime on any public street, or on, or over any public drain, sewer, reservoir, or aqueduct.

24. Every person who shall keep or leave any carriage, cart, hackery, or other conveyance, or any horse, ox, or other animal, on any public street, or on, or over any public drain, sewer, or aqueduct, for a longer time than two hours.

25. Every person who shall set fire to or burn any straw, hay, seeds, timber, or any other matter, or light any bonfire, or fire, in any public street, or discharge any kind of fire-arms, or any air-gun, or let off, or throw any kind of fire-works, or send up any fire-balloon.

26. Every person who shall beat or sound any musical or sounding instrument, or any brass metal utensil in the public streets.

For sounding musical instruments or metals in streets.  
27. Every person who shall affix any bill, notice, or any paper against or upon any building, wall, fence, or board, or who shall write upon, deface, or mark any such building, wall, fence, or board with chalk or paint, or in any way whatsoever without the consent of the owner or occupier of such building, wall, fence, or board.

For affixing bills, or otherwise defacing houses, &c.  
28. Every person who shall expose, or allow to be exposed, within the limits of the said Town any animal, carcase, meat, poultry, game, flesh, fish, or vegetables in a decayed and unwholesome state, and unfit for the food of man.

For exposing unwholesome food, &c.  
29. Every person who shall slaughter or cut up any beast, sheep, swine, or other animal in any public street, or so near thereunto that any blood or filth or other matter from the same shall flow or be carried into such street.

For slaughtering in streets.  
30. Every person, being the owner, occupier, or farmer of any public market, bazar, or slaughter-house who shall keep or allow the same to be kept in a filthy and unclean state, and shall refuse or neglect, after the expiration of two days' notice to be given by the said Commissioners or their Bazar Inspector, to cause such market, bazar, or slaughter-house to be properly cleansed and the filth thereof removed.

For keeping a market unclean, &c.  
31. Every person who shall keep in any street, house, out-house, yard, or ground within the Town any swine, or a flock of more than twenty sheep or goats.

For keeping swine, &c., in the Town.  
32. Every person who shall drive or ride furiously, or at a greater rate than eight miles an hour, any vehicle or animal in the said street.

For driving furiously, &c.  
XLIV. Every person, being the owner, occupier, or farmer of any public market, bazar, or slaughter-house within the Town, shall cause such market, bazar, or slaughter-house to be registered at the Office of the Commissioners,

with a general description of the place, size, number of shops and stalls, and kinds of goods therein exposed for sale; and if he shall refuse or neglect so to register the same he shall forfeit and pay, on conviction before a Justice of the Peace, a sum not exceeding one hundred rupees, and in default of payment thereof, shall be liable to be imprisoned for any period not exceeding one month.

XLV. No place shall be used or occupied as a slaughter-house, within the said Town, which was not in such use and occupation at the time of the passing of this Act, and has not so continued ever since, unless and until a licence for the erection thereof, or for the use and occupation thereof,

has been obtained from the Commissioners, and every person who, without having first obtained such licence as aforesaid, shall use as a slaughter-house any place within the said limits not used as such at the time of the passing of this Act, and so continued to be used ever since, shall for every such offence forfeit and pay, on conviction before a Justice of the Peace, a sum not exceeding one hundred rupees, and in default of payment shall be liable to be imprisoned for any period not exceeding one month.

XLVI. Every person, being the owner, occupier, or farmer of any market, bazar, tannery, or slaughter-house within the said Town, is required to have such a number of drains therein as shall be considered sufficient by the Com-

missioners, and shall have sufficient drains.

missioners, and shall have all the floors and drains paved with stone or burnt brick, and he shall have also therein a supply of water sufficient in the judgment of the Commissioners to keep the whole place in a clean and wholesome state at all times, and in default thereof for four weeks after notice given to him by the Inspector of Markets that such market, bazar, tannery, or slaughter-house is defective in any of the said particulars, shall forfeit and pay, on conviction before a Justice of the Peace, a sum not exceeding one hundred rupees, and in default of payment shall be liable to be imprisoned for any period not exceeding one month.

XLVII. Any person who, after the passing of this Act, shall establish any new tannery or other manufactory within the said Town, from which an offensive or unwholesome smell may arise, shall forfeit and pay, on conviction before a Justice of the Peace, a sum not exceeding two hundred rupees, and in default of payment shall be liable to be imprisoned for any term not exceeding two months.

XLVIII. All doors and gates put up after the passing of this Act within the limits of the said Town, and which open upon any street, shall be hung or placed so as not to open outwards; and if any such door or gate be hung or placed so as to open outwards on any street, the occupier of such house, building, yard, or land shall, within eight days after notice from the Commissioners to that effect, cause the same to be altered so as not to open outwards, and in case he neglects so to do, the Commissioners may make such alteration, and the expenses of such alteration shall be paid to the Commissioners by such occupier, and shall be recoverable from him in manner hereafter mentioned. And if any such door or gate was before the passing of this Act hung so as to open outwards upon any street, the Commissioners may alter the same, so that no part thereof when open shall project over any public way.

XLIX. Every person, being the owner or occupier of a house in the Town, shall fix at his own expense, in a conspicuous place outside of the house or of his gate, in the street, the number of the same as recorded in the assessment books, and no other number, and the said number shall be in legible figures at least 2½ inches in length, and any person who, after the expiration of three months after the publication of this Act, shall neglect or refuse to have such number affixed, shall, on conviction before a Justice of the Peace, forfeit and pay a sum not exceeding fifty rupees.

L. Every person, being the occupier of a house in the said Town, and paying a gross monthly rental of rupees seventy and upwards for the same, shall fix at his own expense, in a conspicuous place outside of his house, or if the said house be in a compound, outside of his gate, in the street, a lamp, and the said occupier shall keep and maintain a good and sufficient light burning in the said lamp throughout the night, and any person who, after the expiration of three months next after the passing of this Act, shall neglect or refuse to have such lamp affixed as aforesaid, or who shall on any night after the expiration of the said three months, neglect or refuse to keep a good and sufficient light burning therein as aforesaid, shall, on conviction before a Justice of the Peace, forfeit and pay a sum not exceeding one hundred rupees.

LI. The rule, ordinance, and regulation 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 gunpowder or gun-cotton, or have in his possession in any house, shop, warehouse, or other building, at any one time, a greater quantity of gunpowder for sale or otherwise than ten pounds, shall, on conviction before a Justice of the Peace, be liable to a for-



feiture of all such gunpowder 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.

LII. It shall be lawful for the Chief Magistrate of Police 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 gunpowder 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 of such conditions shall, on conviction before a Justice of the Peace, be liable to a forfeiture of his licence, and of all gunpowder or gun-cotton so kept in deposit contrary thereto, and also to a fine not exceeding Rupees two hundred.

LIII. Every such licence as is mentioned in 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 gunpowder 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.

LIV. Any Justice of the Peace, on credible information laid before him on oath or solemn affirmation, that gunpowder 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 daytime any house, shop, magazine, or other building or place in which he has reasonable ground to suspect any gunpowder or gun-cotton to be manufactured, sold, or kept, or any boat, carriage, cart, or other vehicle in which any gunpowder, 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 gunpowder, gun-cotton, or materials for manufacturing the same, found on such search, shall, together with the vessels or receptacles 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.

LV. The five last preceding Sections shall not extend to any Government magazine, or store, or building for the making or deposit of gunpowder, or gun-cotton, under the authority or for the use of the Government, or to any gunpowder 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 gunpowder for importation or exportation.

LVI. Commanders of merchant vessels entering the River Hooghly shall, on or before the arrival of their vessels off Moyapore, deposit in the magazine at that place all gunpowder 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 gunpowder 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 gunpowder or gun-cotton for importation (not being gunpowder belonging to the Government), exceeding the quantity of fifty pounds, shall also deposit

the same, on or before the arrival of their vessels off Moyapore, 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 gunpowder 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 gunpowder 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 gunpowder 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 the provisions of Act XVIII. of 1811, 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 gunpowder 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 be exceeding two annas per pound, for all gunpowder or gun-cotton that has been lodged therein, which fee (not to exceed the rate of two annas per pound as aforesaid) shall be taken to cover all charges for the safe custody of the gunpowder or gun-cotton during the period it has remained or shall remain in the magazine; provided also, and it is hereby enacted, 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 fee which may be charged for gunpowder or gun-cotton stored therein, as he may think proper, subject however to all the restrictions and rules imposed by this Section in respect to the removal from the magazine of gunpowder therein stored.

LVII. For every act done or omitted to be done contrary to the provisions in the last preceding Section of this Act, by the Commander of any merchant vessel in the port of Calcutta, the Commander aforesaid shall forfeit the sum of two hundred rupees, and the Collector of Sea Customs is hereby empowered to enforce the said penalty; provided also, and it is hereby enacted, that the Collector shall not grant a Port-clearance for any vessel in which such penalty shall have been incurred until it shall have been paid; 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 it, and detain it as forfeited to Government, to be dealt with as the Governor of Bengal shall think right to direct.

LVIII. When any person shall have been convicted under the provisions of this Act, and shall not, within seven days after such conviction, discontinue the nuisance, or cease to commit the offence for which he was so convicted, such person shall be again liable to the penalties and punishments provided by this Act for such nuisance or offence, and may be again convicted or sentenced under this Act accordingly, and in cases where by the provisions of this Act offenders are required to have notice given them to remove the obstruction or nuisance previous to being liable to the penalties imposed by this Act, if such parties being once warned shall be convicted, and shall again offend against the provisions of this Act, it shall not be necessary to repeat the notice aforesaid, but the parties may be summoned at once.

LIX. Any person who shall wilfully obstruct or molest the said Commissioners, or any of them, or their Secretary, Surveyor, or other Officer or workman employed by them under the provisions of this Act, or any person or company with whom they may have contracted under the provisions of this Act, or any person employed by them in the performance or execution of any duty or thing which they are respectively required or authorized to do under this Act, shall, for every such offence, on conviction before a Justice of the Peace, forfeit and pay any sum not exceeding one hundred rupees, or, in the discretion of the said Justice before whom he is convicted, to imprisonment for a period not exceeding three months.

LX. No person shall be liable to the payment of any penalty or forfeiture imposed by virtue of this Act for any offence complained of before a Justice of the Peace, unless the complaint respecting such offence shall have been made before such Justice within three months next after the commission of such offence.

LXI. In all cases where any damages, costs, or expenses are by this Act directed to be paid, and the method of ascertaining the amount, or of enforcing the paying thereof, is not provided for, such amount in case of dispute shall be ascertained and determined by arbitration, in like manner as is provided for proceeding by arbitration under Act No. XXII. of 1817, and if the parties cannot agree upon two persons or arbitrators, or the arbitrators fail to pronounce their award as aforesaid, then by any two Justices of Calcutta, and if the amount so ascertained be not paid by the said Commissioners, or by the other party liable to pay the same, as the case may be, within seven days after demand thereof, the amount may be recovered by action of debt or on the case in Her Majesty's said Supreme Court of Judicature, or the Calcutta Court of Small Causes.

LXII. The said Commissioners shall publish short particulars of the several offences for which any penalty or punishment is imposed by this Act, affecting other persons than Officers or servants of the said Commissioners, and of the amount of every such penalty and punishment, and shall cause such particulars to be painted on a board, or to be printed upon paper, and posted on a board in English and Bengallee, and shall cause such board to be hung up or affixed in some conspicuous place in the Office of the Secretary of the said Commissioners, and when any such penalties are of local application, shall cause such boards to be affixed in some conspicuous place of the immediate neighbourhood to which such penalties are applicable, or have reference, and such particulars shall be renewed as often as the same or any part thereof are obliterated or destroyed.

LXIII. Every penalty or forfeiture imposed by this Act, or any expense incurred by the said Commissioners in respect of any private drains, sewers, doors, or other things as aforesaid, the recovery of which is not otherwise provided for, may be recovered by summary proceeding before any Justice of the Peace of Calcutta, and on complaint being made to any such Justice, he shall issue his summons requiring the party complained against to appear before him at a time and place to be named in such summons, and every such summons shall be served on the party offending, either in person or by leaving the same at his usual or last known place of abode, and upon the appearance of the party complained against, or in his absence, after proof of the due service of such summons, it shall be lawful for such Justice to proceed to the hearing of the complaint, which complaint shall be reduced to writing, and upon

proof of the offence, or of the expense having been incurred, either by the confession of the party complained against, or upon the oath or solemn affirmation of one credible witness or more, it shall be lawful for such Justice to convict the offender or party summoned as aforesaid, and upon such conviction to adjudge the offender to pay the penalty, forfeiture, or suffer the punishment, or to pay the expense incurred under the provisions of this Act, as well as such costs attending the conviction as such Justice shall think fit, which penalty or forfeiture and costs so adjudged may be levied by distress.

LXIV. Where in this Act any sum of money, whether in the nature of penalty or otherwise, is directed to be levied by distress, such sum of money shall be levied by distress and sale of the goods and chattels of the party liable to pay the same, and the overplus arising from such goods and chattels, after satisfying such sum of money and the expenses of the distress and sale, shall be returned on demand to the party whose goods shall have been distrained.

LXV. No distress levied by virtue of this Act shall be deemed unlawful, nor shall any party making the same be deemed a trespasser, on account of any defect or want of form, &c. or want of form in the summons, conviction, warrant of distress, or other proceeding relating thereto, nor shall any such party be deemed a trespasser *ab initio* on account of any irregularity afterwards committed by him, but all persons aggrieved by such defect or irregularity may recover full satisfaction for the special damage in an action on the case in Her Majesty's said Supreme Court, or in the Calcutta Court of Small Causes.

LXVI. The Justice of the Peace by whom any such penalty or forfeiture shall be imposed may, when the application thereof is not otherwise provided for, award not more than one-half thereof or any less sum to the informer, if he shall think fit so to do, and shall award the remainder or the whole thereof to the said Commissioners, to be by them applied to the purposes of this Act as to them shall appear fit, and shall order the same to be paid over to the Secretary of the said Commissioners for that purpose, whose receipt shall be a good and sufficient discharge to the person so paying the same.

LXVII. If through any act, neglect, or default, on account whereof any person shall have incurred any penalty imposed by this Act, any damage to the property of the said Commissioners shall have been committed by such person, he shall be liable to make good such damage, as well as to pay such penalty, and if the amount of such damage shall not be paid on demand, the same may be recovered by action of debt, or on the case, in the Calcutta Court of Small Causes, or in Her Majesty's said Supreme Court of Judicature.

LXVIII. It shall be lawful for any Justice of the Peace to summon any person to appear before him as a witness in any matter in which such Justice shall have jurisdiction under the provisions of this Act, at a time and place to be mentioned in such summons, and require from him on oath or solemn affirmation that he will testify the truth in such matter; and if any person so summoned shall, without reasonable cause, refuse or neglect to appear at the time and place appointed for that purpose, having been paid or tendered a reasonable sum for his expenses, if from distance or any other cause he shall be lawfully entitled to claim such expenses, or if any person appearing shall refuse to be examined on his oath or solemn affirmation according to law, or to give evidence before such Justice, every such person shall for

Obstruction of Commissioners or their Officers.

No person liable for penalty unless complaint made within three months.

Manner in which damages, costs, and expenses are to be ascertained.

Commissioners to publish short particulars of offences.

All penalties not otherwise provided may be recovered before Magistrate; form of procedure.

Manner of executing distress.

No distress unlawful for want of form, &c.

How penalties are to be applied.

Parties liable to penalty shall pay damage done to Commissioners also.

Power to Justice to summon witnesses; penalty for not appearing.

every such offence forfeit and pay a sum not exceeding fifty rupees.

LXIX. The following words and expressions in this Act shall have the several meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction; (that is to say,) words importing the singular number shall include the plural number, and words importing the plural number shall include the singular number; words importing the masculine gender only shall include females; the word "person" shall include corporations, whether aggregate or sole; the words "oath," "affirmation," and "solemn affirmation," when used alone shall include oath or affirmation or other declaration lawfully substituted for an oath in such case by any legislative Act of the Governor General of India in Council, or by any Act of the Parliament of Great Britain extended to India; the word "street" shall include any public square, circus, street, court, alley, foot-path, highway, lane, road, thoroughfare, public passage, or other public place within the said Town; the word "lands" shall include messuages, buildings, walls, tenements, and hereditaments of any tenure, as well as lands; the words "the said Commissioners" shall mean the Commissioners for the time being appointed under the provisions of Act No. of 1852; and the word "month" shall mean calendar month.

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 19th day of February next.

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

### Insolvent Debtors' Court.

Notice is hereby given, that Petitions of the several persons hereunder named and described have been presented to the Court for the Relief of Insolvent Debtors, Bombay, praying, respectively, for the benefit of the Act made and passed in the eleventh year of Victoria, Chapter XXI:—

Wittul Curson, who lately carried on business as a Dealer in Leather, Hindoo, lately residing in Wurrache Gaddee, without the Fort of Bombay, (and now in the Bombay Gaol,) filed 29th December 1851.

Mahomed Sha Nujee Mahomed, formerly a Petty Dealer in Europe Sundry Goods, Mahomedan, lately residing in Bhoosar Street, without the Fort of Bombay, (and now in the Bombay Gaol,) filed 29th December 1851.

Malcolm Ronald Laing Meason, late a Lieutenant in Her Majesty's 10th Hussars, European, residing at Mazagon, without the Fort of Bombay, filed 3rd January 1852.

Bawa Succaram Gopaldass, a Mendicant, Hindoo, lately residing near the Bhooseshwar Temple, without the Fort of Bombay, (and now in the Bombay Gaol,) filed 5th January 1852.

Succaram bin Condajee, lately a Hackery Driver in the employ of Toolseeram Dusruth, Hindoo, lately residing in Camuatty Poora, without the Fort of Bombay, (and now in the Bombay Gaol,) filed 5th January 1852.

Orders in the matters of the abovenamed Insolvents' Petitions, that the real and personal Estates and Effects of the said Insolvents be vested in the Official Assignee of this Honorable Court, under Clause VII. of the said Act, have been duly made.

### Days appointed for Hearing.

Wittul Curson, 3rd Monday in January instant, at 11 o'clock A. M.

Succaram bin Condajee, ditto ditto.

Chabildass Vullubdass, 1st Monday in February next, at 11 o'clock A. M.

Malcolm Ronald Laing Meason, ditto ditto.

Mahomed Sha Nujee Mahomed, ditto ditto.

Opposing Creditors must file their Claims, verified by Affidavit, and pay the usual Fees, at my Office, at least three days before the Hearing. The above-named Insolvents have filed Schedules of their Debts, Estates, and Effects, in my Office.

### Dividends.

Wittabae, Widow of the late Gunput Sadasev Naik, 3rd Monday in January instant.

Runsord Bhugwan, ditto ditto.

John Simpson Lawless, ditto ditto.

W. DE BLAQUIERE,  
Clerk of the Court.

Clerk of the Court's Office, Fort,  
Bombay, this 6th day of January 1852.

નવખલા દેવાદારોની કોર્ટ મધે.

મખર હીઆંથી આપેઆને આવેછું નની  
એલ મેલાશ મશી નએએ હાલ મુખાઈનધે  
નાદારો દેનદાર લોકોનાં છુટકા કરનારી કો  
રટને અરજએ આપીછું ન વીકટોરીઆનાં  
અગીઆરને વરસે ધારો પચાર થાએલોછું  
તેનાં એકવીશના બાબ પરનાંછું હુમેને દાદ  
ને પોઆડવા \*

વીહલ કરચંન ન થોરા દાડા બીપર આનડા  
ને વેપાર કરતો હતો હીનકુ થોરા દાડા  
બીપર શ્રી મુખાઈનાં કોટબાહાર વડાની  
ગાદીઆગલ રહેતો હતો ને હાલમે શ્રી મુ  
ખાઈની તુરંગમે છે તેની તારીખ ૨૯ મી  
ડીસેમ્બર ચંને ૧૮૫૧ ને દાડે દાખલ ક  
રીછું \*

મહંમદશાહા ભુજ મહંમદ આગલા વલાતી  
પરચરંછું નાહાંનાં માલનો ધંનધો કરતો  
હતો મુશલમાન થોરાદાડા બીપર શ્રી મુખા  
ઈનાં કોટબાહાર ભુચાર મોહોલાનો રે  
હેતો હતો ને હાલમે શ્રી મુખાઈની તુરંગ  
મે છે તેની તારીખ ૨૯ મી ડીસેમ્બર ચં  
ને ૧૮૫૧ ને દાડે દાખલ કરીછું \*

માલકંમ રોનાલડ લાઈનગ મીચંન આગલ  
રાંણોની દચમી હચારનો એક લક્ટેનેનટ  
હતો અંગરેજ રહેનાર શ્રી મુખાઈનાં કો  
ટબાહાર મલગાંમ મધે તેની તારીખ ૩૦  
નવોવારી ચંને ૧૮૫૨ ને દાડે દાખલ  
કરીછું \*

આવા ચકારામ ગોપાલદાસ ચેરાગી હીનકુ  
થોરા દાડા બીપર શ્રી મુખાઈનાં કોટબાહાં

ર ભુવેશ્વરનાં ડેરાઆગલ રહેતો હતો ને હાલ મો શ્રી મુખાઈની ટુરંગમે છે તેની તારીખ ૫ મી જાન્યુઆરી શંને ૧૮૫૨ ને દાડે દાખલ કરી છે \*

શકારાત્ર બીન કોડાજ થેરા દાડા ઊપર વુલશીરાત્ર દશરથની આકરોમે ગાડી આકનાર હતો હીનડુ થેરા દાડા ઊપર શ્રી મુખાઈનાં કોટ બાહાર કાનટીપુરામે રહેતો હતો ને હાલ મો શ્રી મુખાઈની ટુરંગમે છે તેની તારીખ ૫ મી જાન્યુઆરી શંને ૧૮૫૨ ને દાડે દાખલ કરી છે \*

ઊપર લખેલા નવલા દેવાદારોની અરજીઓની આપતનાં હુકમ થએ છે ને તેનાઓની પોતાની થાવર તથા માથ મીલકત તથા ઓળ વચત છે તે આએ નામદાર કોરટના હાકીમીઆલ આગાએની તાએયાના ઊપર લખેલા ધારાનો ૭ મી કલંન પરમાંએ આપવું \*

શાંભલવાના દાડા ઠરાવેલા.

વીહલ કરશંન ૩ ને શેનવાર આલતા જાન્યુઆરી મહીનામે ૧૧ કલાકે પેહેલે પોરના \*

શકારાત્ર બીન કોડાજ દાડા ઊપર લખા ૫ રમાંએ \*

જીબીલદાથ વલભદાથ ૧ લેા શેનવાર આપતા શંવરવારી મહીનામે ૧૧ કલાકે પેહેલે પોરના \*

મલકંમ રોનાલડ લાઇંગ મીશંન દાડા ઊપર લખાપરમાંએ \*

મહંમદ શા હુજમહંમદ દાડા ઊપર લખા ૫ રમાંએ \*

આડા આવનાર લેણાદારોએ પોતાના દાવા શેગંનનાથી યાજુત કરેલાં શાંભલવાની આગમત ઓછામે ઓછા ૩ દાડા અગાજી હમારી હાકીમીમે દાખલ કરવા ને ઇએ ને ઠરાવેલી (ફી) એટલે દયતુરી પંજ આપવી તે ઊપર કહેલા નાદારોએ પોત પોતાના દેવાની તથા માલ મીલકતનો ટીપો હમારી હાકીમીમે નોધાવી છે \*

ફાલાની વહેચાણ.

વીહાંબાઈ તે મરનાર ગંજપત શદશીવ નાએ કની વીધવાં ૩ શેનવાર આલતા જાન્યુઆરી મહીનામે \*

રંજીણાડ ભગવાન દાડા ઊપર લખા ૫ રમાંએ \*

જાન્યુઆરી શંને ૧૮૫૨ ને દાડે દાખલ કરી છે \*  
શકી. ડબ્લીઝ—ડી—બલાકીઅર, -  
કોરટનો કલારક.

શ્રી મુખાઈનાં કોટમધે કોરટનાં કલારકની હાકીમીમે આજ શંને તારીખ ૫ ક ઠી જાન્યુઆરી શંને ૧૮૫૨

(True Translation.)

R. X. MURPHY, Acting Chief Translator.

**Notice**

Is hereby given, that Sealed Tenders will be received at this Office on Friday next, the 16th instant, until 1 o'clock p. m. (any delivered after that hour will be rejected), for the supply of the undermentioned Articles, viz:—

- 933 (Nine hundred and thirty-three) Sheets Sheathing Copper, Europe, 30 ounces.
- 897 (Eight hundred and ninety-seven) Do. do. 28 do.
- 843 (Eight hundred and forty-three) Do. do. 26 do.

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 Copper."

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.

No reason will be assigned for rejecting any offer.

E. WHICHELO, Captain,  
Deputy Commy. General.

Bombay, Deputy Commy. Genl.'s Office,  
14th January 1852.

**BANK OF BOMBAY.**

**DISCOUNT.**

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

**INTEREST.**

- On Fixed Loans on Government } 4 ditto.
- Notes..... }
- On Cash Credits and Loans on } 5 ditto.
- Government Notes..... }
- 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.

**POST OFFICE NOTICES.**

**OVERLAND MAIL,**

*Viâ Marseilles and Southampton.*

It is hereby notified for general information that the Mid-Monthly Overland Mail, *viâ* Marseilles and Southampton, will be closed on SATURDAY, the 17th instant, at 3 o'clock p. m. An after-Packet will be kept open (except for pre paid letters, *viâ* Southampton,) until 5 o'clock p. m., under the usual terms.

Post Office Packets, per P. and O. Co.'s Steamer "MALTA," for HONG-KONG, SINGAPORE, PENANG, and CEYLON, will be closed on SATURDAY, the 17th instant, at 6 o'clock p. m.

*Bombay, Genl. Post Office, 7th January 1852.*

Post-Office Packets, per Steamer "BOMBAY," for KURRACHEE and SCINDE, will be closed on MONDAY, the 19th instant, at 2 o'clock p. m.

**A. W. RAVENSCROFT,**

*Post Master General.*

*Bombay, Genl. Post Office,  
14th January 1852.*

**Postal Notices.**

Notice is hereby given, that Bhangy Parcels for the undermentioned Stations in the Punjab can now be dispatched from Kurrachee through Scinde to their destinations. Parties wishing to avail themselves of that route will have to prepay Outward Ship Postage from Bombay to Kurrachee:—

- |                    |              |
|--------------------|--------------|
| Ahmedpore.         | Lahore.      |
| Bhawalpore.        | Peshawar.    |
| Assim Muttinkote.  | Attock.      |
| Dhera Ghazeeckhan. | Rawalpindee. |
| Dhera Ismailkhan.  | Bunnoo.      |
| Mooltan.           |              |

*Bombay, Genl. Post Office, 23rd December 1851.*

A Post Office has been established, from the 1st instant, at Dhurrungam, 34 miles East of Dhoolia.

**A. W. RAVENSCROFT,**

*Post Master General.*

*Bombay, General Post Office,  
3rd January 1852.*

**Notice**

Is hereby given, that the Collection of Duties on Tobacco and Ganza will be conducted by the Customs Department, from the 1st proximo.

**H. YOUNG,**

*Collector of Customs.*

*Bombay, Custom House,  
14th January 1852.*

**OPIMUM MEMORANDUM for the Week ending Tuesday, 13th January, 1852.**

YEARS.	PASSEES GRANTED.		IMPORTED INTO BOMBAY.			EXPORTED BY SEA.			Balance unaccounted for.
	Up to the 6th Jan. 1852.	From 7th to 13th Jan. 1852.	Up to the 6th Jan. 1852.	From 7th to 13th Jan. 1852.	Up to the 6th Jan. 1852.	From 7th to 13th Jan. 1852.	Total.		
For 1840-47. .... Chests.	19,521		19,492		19,521		19,481	104	
" 1847-48. .... "	15,861		15,800		15,861		15,854	54	
" 1848-49. .... "	16,861		16,800	1	16,861	1	16,845	14	
" 1849-50. .... "	15,978		15,970	8	15,978	8	15,800	701	
" 1850-51. .... "	24,052	24,044 & 45 lbs.	24,044 & 45 lbs.	8	24,052 & 45 lbs.	8	23,994	58	
" 1851-52. .... "	11,803	654	9,244	31	9,673	423	5,704	3,969	

  

OF THE SEASON 1850-51.	Chests	2
Per Ship "Jansjee Jejeebhoy"	"	5
Ship "Foam"	"	8
Ship "Sir H. Compton"	"	3
Steamer "Malta"	"	18
OF THE SEASON 1851-52.		
Brig "Lanick"	"	4
Ship "Jansjee Jejeebhoy"	"	60
Ship "Sir H. Compton"	"	192
Ship "Foam"	"	24
Steamer "Malta"	"	16
Pattamary "Towkully"	"	1
		439
Total.....	Chests	441

**H. YOUNG,**  
*Opium Agent.*

*Bombay, Opium Agent's Office, 14th January, 1852.*

Details of Exports from 7th to 13th January 1852.

No. 26 of 1852.—Ensign R. P. Mainwaring, of the 20th Regiment Native Infantry, is allowed leave of absence from the 25th instant to 25th March next, to proceed to Hyderabad in the Deccan, on private affairs.

No. 27 of 1852.—Lieutenant J. L. Evans, of the 16th Regiment Native Infantry, is allowed leave of absence to remain at Mhow, for the benefit of his health, until the 31st instant.

No. 28 of 1852.—The following temporary appointment is made:—

Captain E. T. Peacock, of the 1st Grenadier Regiment N. I., to act as Brigade Major at Kurrachee, on the departure of Captain Follett to Poona, until the arrival of Captain Wood, or until further orders.

No. 29 of 1852.—With reference to General Order No. 606, of the 17th November last, Captain C. R. Hogg is confirmed in the temporary appointment of Acting *Deputy Assistant Adjutant General*, instead of as Acting *Assistant Adjutant General*, as therein notified.

No. 30 of 1852.—Captain Manson is permitted to resume his appointment of Aid-de-Camp to Brigadier General Manson, C. B.

*Bombay Castle, 9th January 1852.*

No. 31 of 1852.—In conformity with the practice in Bengal, the following modification of the existing Rules Para. 104 to 110, Section IX. as regards sanction for Extra Sick Carriage for Native Troops on a march, is Jameson's Code. ordered:—

1. In addition to the regulated proportion of Doolies for Native Troops, on a march, the Officer Commanding a Regiment or Detachment may procure by Requisition and Indent on the Commissariat Department, or by Contingent Bill where no Commissariat Agent is present, such additional Carriage for Sick, (Carts, Bullocks, or Tattoos,) as may be actually required, to the extent of five men in every hundred of the actual marching strength, without requiring the sanction of His Excellency the Commander in Chief and Government.

2. All Extra Sick Carriage beyond this amount will require the sanction of the Commander in Chief and Government, according to existing Orders.

No. 32 of 1852.—The Right Hon'ble the Governor in Council is pleased to republish the following General Order by the Most Noble the Governor General of India, dated Camp Shahjehanpore, the 20th December 1851:—

The Most Noble the Governor General is pleased to publish the following paragraphs of a Despatch from the Hon'ble the Court of Directors to the Governor of Bengal, No. 122, dated 29th October last:—

*Letter dated 28th June 1851, No. 90.*

19. Forward, with reference to Court's orders in letter No. 5 of 1851, a letter from the Governor General, explaining his views as to the number and rank of Officers at present authorized to be withdrawn from Regimental, for Staff of detached duty.

Military Letter, No. 5 of 1851.

"This latitude, however, was designed only for cases of emergency. The general Rule, fixing the limit at six, is that which we are desirous of maintaining, and which is applicable to the Armies of the three Presidencies.

"15. We cannot doubt that by availing yourselves of the services of Madras Officers, and reducing, as far as possible, detached employments which can be dispensed with, you will henceforth be enabled to avoid the necessity, which we greatly deprecate, of withdrawing a seventh Officer from any Regiment."

No. 33 of 1852.—the following Officers are allowed a furlough to Europe for three years, on Medical certificate:—

Ensign J. Barnes, of the 1st Grenadier Regiment N. I.

Ensign G. E. S. Bell, of the 2nd Grenadier Regiment N. I.

No. 34 of 1852.—The Right Hon'ble the Governor in Council is pleased to publish the following General Order by the Hon'ble the President of the Council of India in Council, No. 674, dated Fort William, 19th December 1851:—

The Hon'ble the President in Council is pleased to direct the publication to the Army of the following Despatch from the Hon'ble the Court of Directors to the Governor General of India in Council, No. 20, of the 22nd October 1851, forwarding a copy of the Royal Warrant granting to the Captors the Booty and Plunder taken in the City of Mooltan, and at the Forts of Mooltan and Chineoute, in the year 1849, and authorizing distribution of the amount under the instructions as therein conveyed, after deducting the amount disbursed as Punjab Donation Batta, under General Orders by the Most Noble the Governor General, dated Simla, the 18th October 1849.

*No. 20 of 1851.*

*Military Department.*

*Our Governor General of India in Council.*

1. With reference to our letter to Bengal of the 25th April last, No. 51, we have now to apprise you that by a Royal Grant, dated on the 26th September 1851, of which a copy is enclosed, Her Majesty has been pleased to grant to the East India Company the booty and plunder taken in the City of Mooltan and at the Forts of Mooltan and Chineoute, in trust, as to one-half part thereof for the proper use of the said Company towards their expenses in the said operations, and as to the other half part thereof for the use of the Commander-in-Chief, the Generals, and other Officers, Non-Commissioned Officers, and Privates, who served in the Punjab during the war, after deducting the amount which they have severally received as donation of batta under the orders conveyed in our letter of the 18th July 1849, to be distributed to and amongst them, according to the usage of the army in India.

2. We have now the satisfaction of conveying to you our resolution to present to the Troops which served in the Punjab during the war, the moiety of the booty which Her Majesty has been graciously pleased to place at our disposal.

3. You will take the necessary measures for distributing the amount of this booty agreeably to the terms of the Grant, after deducting from the share or shares accruing to each Officer and Soldier the amount of the donation of batta which he has received under the Order above specified.

We are, &c.,

(Signed) JOHN SHEPHERD,  
and 13 other Directors.

London, 22nd October 1851.

## VICTORIA R.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.

To all to whom these presents shall come, greeting. Whereas the Commissioners of Our Treasury have represented unto Us that it had been made to appear to them by a report of Our Procurator General, that it was stated in a Memorial addressed to Our said Commissioners by the East India Company, that a rebellion against the Government of the Punjaub having broken out at Mooltan, in the East Indies, in the month of April, in the year of Our Lord 1848, headed by the Dewan Moolraj; and the Sikh Sirdars having declared their inability to coerce the rebels, a force composed of Our Troops, and of Troops of the East India Company was employed for this purpose; that on the 2nd day of January in the year of Our Lord 1849, the fortified City of Mooltan was taken by storm by these Troops; that on the said 2nd day of January in the said year of Our Lord 1849, the Fort of Mooltan, after a practicable breach had been made therein, surrendered to the said Troops, and that on the 8th day of February in the said year of Our Lord 1849, the Fort of Chineoute also surrendered to them; and booty was taken in the said fortified City and Forts, consisting of jewels and other property, the sale proceeds of which have been realized by the Prize Agents employed for collecting the booty, or have been otherwise realized, amounting to the sum of Rupees 12,43,511-3-11; that in addition certain Ordnance and Ordnance Stores were taken in the said Fort of Mooltan, the value of which, according to the rates charged for such articles at the said Company's Arsenal in Bengal, is Rupees 66,412-10-8, making altogether a total of Rupees 13,09,923-14-7.

That the Memorialists having taken into their consideration the services performed by the Forces serving in the Punjaub, in the late operations, including those engaged in the capture of Mooltan, and the delay which would necessarily arise before a distribution could take place of any booty which We might be graciously pleased to grant, they resolved on the 18th of July in the said year of Our Lord 1849, that the Officers and Soldiers of those Forces should at the earliest possible period receive a pecuniary reward of not less amount than six months' batta; they therefore instructed the Government of India forthwith to pay to the Commander-in-Chief, the Generals, and other Officers, Non-Commissioned Officers, and Privates who served in the Punjaub during the Campaign, a donation equal to six months' full batta, on the understanding, that, if hereafter any booty which may have been captured in such Campaign should be made over to them, there should be deducted from any share of such Prize Money which might become payable to any individual a sum equivalent to the batta paid to him under those instructions, unless such share should be of less value than that sum;—in the latter case all that was to be repaid to the said Company's Treasury was to be the amount of the Prize Money, however small it might be. The Memorialists, therefore, prayed that Our said Commissioners would be pleased to recommend unto Us to grant to them all such booty and plunder, stores, provisions, and things as were found in, or taken in the said operations against Mooltan and Chineoute, as to the one-half part of the value thereof for the proper use of the Memorialists towards their expenses, and as to the other half part thereof for the use of the Commanders, Officers, and Men belonging to the Forces employed in the said operations, after deducting the amount which they have already received as donation of batta, as aforesaid; and also to advise Us to give such directions as to the appropriation and distribution of the said booty and plunder amongst the Forces as to Us should seem fit. And whereas Our said Commissioners have recommended unto Us to accede to the prayer of the said Memorial, by granting the said booty and plunder in question, in manner hereinafter mentioned, to which We are graciously pleased to condescend, We do hereby give and grant to the East India Company, all such booty and plunder, stores, provisions, and things as are hereinbefore mentioned to have been taken at the City of Mooltan, and at the Forts of Mooltan and Chineoute, in trust as to one-half part of the value thereof for the proper use of the said Company, towards their expenses in the said operations, and as to the other half part thereof, in trust, for the use of the Commander-in-Chief, the Generals, and other Officers, Non-Commissioned Officers, and Privates who served in the Punjaub during the said Campaign, including those employed in the said operations, after deducting the amount which they have severally received as donation of batta, as aforesaid, to be distributed to and amongst them according to the usage of the Army in India. And We are graciously pleased to order and direct that in case any doubt shall arise in respect to the distribution of the moiety hereby granted as aforesaid, respecting any demand upon the said captured booty, the same shall be determined by the said East India Company, or by such person or persons to whom they shall refer the same, which determination thereupon made shall, with all convenient speed, be notified in writing to the Commissioners of Our Treasury; and the same shall be final and conclusive to all intents and purposes, unless within three months after the receipt thereof at the Office of the Commissioners of Our Treasury, We shall be pleased otherwise to order. Hereby reserving to Ourselves to make such order therein as to Us shall seem fit.

Given at Our Court at Balmoral, this 26th day of September, in the fifteenth Year of Our Reign, and in the Year of Our Lord 1851.

By Her Majesty's Command,

(Signed) WM. GIBSON CRAIG.

H. RICH.

Queen's Warrant directing the grant and distribution of the booty and plunder captured at Mooltan and Chineoute.

The Governments of Fort St. George and Bombay, and his Excellency the Commander in Chief in Bengal, will be pleased to cause Prize Rolls (prepared according to the forms Nos. 1 and 2 annexed) of parties entitled to share in the booty above granted, to be transmitted with the least practicable delay, one copy to the General Prize Committee at Fort William, and one copy to the Adjutant General of the Army.

*Directions for preparing the above Prize Rolls.*

Officers and Men are to be returned with the Regiments with which they served at the time of capture, and in their respective Troops or Companies, as they were borne at that period in their Muster Rolls.

The rank of each individual at the time of capture is to be given, and any incidental circumstances, which may have subsequently occurred, are to be shewn in the column left for that purpose.

Where there are several persons of the same name and grade, they are to be numbered 1st, 2nd, 3rd, &c.

European Regiments are to give the Regimental Number of each man at the date of capture, as also his present Number.

Those portions of Native Establishments attached to European Regiments, and entitled to Prize Money, are to be duly accounted for.

The names of Deserters are not to be included in Prize Rolls.

The particular attention of Officers Commanding Corps is required in filling up with accuracy the column showing the nearest of kin of deceased men.

## FORM No. 1.

PRIZE ROLL of the Officers, Non-Commissioned Officers, and Privates of the

entitled to share in the Booty captured at

on the 18

Number.	Number on original Roll.	Regimental number.	RANK.		Incidental circumstances which have occurred since the time of Capture.	Name of Heir or nearest of kin to the Deceased, on whose account Prize Money is claimed.	Country.	Town.	County.	Proof in support of Claim.	Amount already drawn as Punjab Donation Batta.	
			Present.	At the time of Capture.							Rs.	a. p.
1	26	240	A. B.	Serjeant.	Died 25th May, 18	C. D., Brother.	Ireland.	Tralee.	Kerry.	Last Will.		
1	19	316	E. F.	Corporal.	Invalided to Chunar.					Certificate.		
1	306	402	G. H.	Qr. Mr. Serjt. Gunner.	Transferred to the Regt. N. I.					Soldier's Account Book.		

## FORM No. 2.

PRIZE ROLL of the Officers, Non-Commissioned Officers, and Privates of the

entitled to share in the Booty captured at

on the 18

Number.	Number on original Roll.	Names.		RANK.		Incidental circumstances which have occurred since the time of Capture.	Name of Heir or nearest of kin to the Deceased, on whose account Prize Money is claimed.	Village.	Pungamah.	Province.	Proof in support of Claim.	Amount already drawn as Punjab Donation Batta.	
		Present.	At the time of Capture.	Present.	At the time of Capture.							Rs.	a. p.
1	27	A. B.	Subedar.	Jemedar.	Promoted by G. O.						Regimental Records.		
1	34	C. D.		Havildar.	Died at Gwalior on the	E. F., Mother.					Evidence of Men in the Regiment.		
1	17	G. H.	Sepoy.	Sepoy.	Invalided by G. O.						Pension Roll.		
2	37	I. J.		Sepoy.	Killed on the Retreat from Cabool.	K. L., his Son.					Witnesses, and Certificate from the Commanding Officer of the Corps.		

J. S. BANKS,

Offg. Secy. to the Govt. of India, Milly. Dept.

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No. 35 of 1852.—The following Officers, of the Madras Establishment, are allowed a furlough to Europe for three years, on Medical certificate :—

Lieutenant H. Desborough, of the 6th Regiment M. N. I.  
 Ensign F. Samwell, do. do.

*Bombay Castle, 10th January 1852.*

*Erratum.*

In General Order No. 648, dated the 3rd December 1851, for "Corporals" read "Serjeants."

*Bombay Castle, 12th January 1852.*

No. 36 of 1852.—The Hon'ble the Court of Directors have appointed Mr. Charles Frederic Boulton, now abroad, a Cadet of Infantry on this Establishment, subject to the usual conditions, and to his being found qualified, agreeably to the test prescribed in General Order of the 4th of June 1851, No. 324.

No. 37 of 1852.—The permission to return, granted to Lieutenant Edward Lowry, has been cancelled by the Hon'ble the Court of Directors, in accordance with his request.

The undermentioned Officers have been granted extensions of leave by the Hon'ble the Court of Directors, for the period specified, viz :—

Major John Liddell..... } Six months.  
 Lieut. W. N. Dyett..... }

No. 38 of 1852.—The undermentioned Document will be forwarded to the Honorable the Court of Directors by the next Overland Mail :—

2nd Supplementary General Roll, for the Quarter ending the 31st October 1851, of Effects and Credits of deceased Non-commissioned Officers and Soldiers of Her Majesty's 78th Highlanders.

*Bombay Castle, 13th January 1852.*

No. 39 of 1852.—Lieut. A. C. Frankland, of the 2nd Regiment European Light Infantry, is allowed a furlough to Europe for three years, on Medical certificate.

No. 40 of 1852.—The following Gentlemen are admitted to the Service, in conformity with their appointments by the Hon'ble the Court of Directors, as Cadets of Artillery and Infantry on this Establishment. The Cadets for the Artillery are promoted to 2nd Lieutenants, and for the Infantry to Ensign, leaving the dates of their Commissions for future adjustment :—

*Artillery.* *Date of arrival at Bombay.*

No. 603. Mr. William Herbert Malden..... }  
 No. 611. Mr. Hubert LeCocq..... } 2nd Jan. 1851.

*Infantry.*

No. 622. Mr. George Innes..... } Ditto.

The undermentioned Officers have returned to their duty, without prejudice to their rank, by permission of the Hon'ble the Court of Directors :—

Lieutenant E. Thompson, of the 8th Regt. N. I..... }  
 Lieutenant W. L. Robinson, of the 20th Regt. N. I..... } 2nd Jan. 1852.

No. 41 of 1852.—The following General Order, issued by the Government of India, No. 703, dated the 30th December 1851, is published for information :—

Under instructions from the Hon'ble the Court of Directors, conveyed in the 5th paragraph of a Military Despatch No. 122, dated 29th October 1851, the Hon'ble the President of the Council of India in Council is pleased to direct that the rate of Hospital Stoppages from Trumpeters, Drummers, Buglers, and Fifers of Her Majesty's Regiments in India, whose pay is affected by the Royal Warrant published in Government General Order No. 579, of 7th November 1851, shall, from the date of that Warrant coming into operation, be made at the same rate with Hospital Stoppages from Private Soldiers.

(Signed) J. S. BANKS,

Officiating Secretary to the Government of India, Military Department.

No. 42 of 1852.—Lieutenant Colonel R. St. John, of the 1st European Regiment (Fusiliers), has returned to his duty, without prejudice to his rank, by permission of the Honorable the Court of Directors. Date of arrival in Bombay, 8th January 1852.

No. 43 of 1852.—The exchange of Regiments between Ensign La Touche and Ensign Jervis, announced in General Order No. 12, dated the 7th instant, takes effect from the 27th of December 1851.

No. 44 of 1852.—Captain J. Estridge, of the Corps of Engineers, is allowed a furlough to Europe, for three years, agreeably to the Regulations.

*Bombay Castle, 14th January 1852.*

No. 45 of 1852.—The following promotions are made :—

*10th Regiment N. I.* *Date of Rank.*

Ensign F. Roome to be Lieutenant, vice Burns, cashiered..... 7th Jan. 1852.

The undermentioned Officer is ranked from the dates specified opposite his name, and posted to the 10th Regiment N. I., vice Roome, promoted :—

*Rank as Ensign in the*

*Regiment.* *Army.*

Arthur Soppitt..... 7th January 1852. 9th December 1850.

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

P. M. MELVILL, Lieut. Colonel,

*Secretary to Government.*

MARINE DEPARTMENT.

Bombay Castle, 13th January 1852.

No. 4 of 1852.—Lieutenant R. J. Jernyn returned to his duty on the 8th instant, by the Steam-vessel "Victoria," with the permission of the Hon'ble the Court of Directors.

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, 13th January 1852.

Major J. Ramsay, Commandant of the Southern Mahratta Irregular Horse, is allowed leave of absence for one month, from the 20th instant, to visit Bombay, on urgent private affairs.

Bombay Castle, 14th January 1852.

Mr. J. M. Davies is appointed Resident at Baroda, from the 15th January.

By Order of the Right Honorable the Governor in Council,  
A. MALET, Chief Secretary.

TERRITORIAL DEPARTMENT,

REVENUE.

Bombay Castle, 13th January 1852.

Mr. H. Liddell, Collector of Kaira, has been permitted to proceed into the Districts of his Collectorate, on duty, from the 22nd December 1851.

Bombay Castle, 14th January 1852.

Mr. J. D. Inverarity, Collector of Belgaun, has been permitted to proceed into the Districts on duty, from the 5th instant.

Mr. John Hiude Pelly to be Collector and Magistrate of Surat.

Mr. E. C. Jones received charge of the Poona Collectorate from Mr. J. S. Inverarity, on the 12th instant.

By Order of the Right Honorable the Governor in Council,  
H. E. GOLDSMID, Secy. to Government.

JUDICIAL DEPARTMENT.

Bombay Castle, 13th January 1852.

Under the provisions of Section IV. of Act IV. of 1851, Mr. W. D'Oyly, Second Assistant to the Magistrate of Ahmednuggur, is vested with the full powers of a Magistrate in that Collectorate, with the exception of the power of Review.

Mr. F. Lloyd, Assistant Judge and Session Judge of the Concan, is appointed to act as Assistant Judge and Session Judge at Poona, on the departure of Mr. Newton, on leave.

Under the provisions of Section IV. of Act IV. of 1851, Dr. F. Manisty, Assistant Magistrate and Civil Surgeon at Ahmednuggur, is vested with the full powers of a Magistrate in that Collectorate, with the exception of the power of Review.

Under the provisions of Section IV. of Act IV. of 1851, Captain J. W. Auld, Bheel Agent, and Superintendent of Police at Ahmednuggur, is vested with the full powers of a Magistrate in that Collectorate, with the exception of the power of Review.

Bombay Castle, 14th January 1852.

First Hospital Assistant Goonajee Sawunth, of the Jail at Kurrachee, is allowed leave of absence for three months, to visit the Concan, on private affairs.

The Judges of the Sudder Dewanee Adawlut have made the following appointment:—

Azum Raghvendru Rao Ramajee to be Acting Moonsiff in the Poona Zilla.

Rao Saheb Wamunrao Juggonath, Sudder Ameen at Poona, is appointed to Act as Principal Sudder Ameen of that Zilla, during the absence of Rao Bahadoor Govind Rao Jairam at Indore.

The Judges of the Sudder Dewanee Adawlut have appointed Rao Saheb Nilkuntrow Vishnoo to be Acting Sudder Ameen in the Poona Zilla.

GENERAL DEPARTMENT.

Bombay Castle 14th January 1852.

Second Grade Apprentice Luke B. de Silva, Civil Hospital, Rutnagherry, to be a First Grade Apprentice.  
Manoel Francis de Silva to be a Second Grade Apprentice.

First Grade Apprentice Manoel Texeira, and Second Grade Apprentice Manoel Francis de Silva, to be attached to the Bandora Dispensary.

The undermentioned Gentlemen have been re-elected Native Members of the Board of Education for the current year:—

- Juggonath Sunkersett, Esquire.
- Bomanjee Hornusjee, Esquire.
- Mahomed Ibrahim Muckba, Esquire.

By Order of the Right Hon'ble the Governor in Council,  
A. RICHARDSON, Deputy Secretary to Government.

PACKETS.

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.
Zenobia .....	Commander in Chief, Indian Navy...	17th instant.....	Aden .....	Aden. { Ceylon, Penang, and Singapore.
Victoria .....	Ditto ditto .....	3rd proximo.....	Aden .....	
Malta .....	P. & O. Steam Navigation Company.	18th instant .....	Hong-Kong .....	Aden. { Ceylon, Penang, and Singapore.
Bombay .....	Bombay S. N. Company.....	19th ditto.....	Kurrachee.	
G. R. Clerk .....	Ditto ditto.....	20th ditto.....	Cambay.	Aden. { Ceylon, Penang, and Singapore.
Foam .....	Messrs. G. A. King & Co.....	17th ditto.....	China.	
John Taylor .....	" Dixon, Hunter & Co.....	15th ditto.....	London.	Aden. { Ceylon, Penang, and Singapore.
New Orleans .....	" Wm. Nicol & Co.....	1st proximo.....	Ditto.	
Earl of Hardwicke .....	" Farbes & Co.....	5th ditto.....	Ditto.	Aden. { Ceylon, Penang, and Singapore.
Eliza.....	" Wm. Nicol & Co.....	15th ditto.....	Ditto.	
Anne Armstrong .....	" Robert Strong & Co.....	Dispatch.....	Calcutta.	Aden. { Ceylon, Penang, and Singapore.
John Ritson .....	" Martin, Young & Co.....	Ditto.....	Singapore.	
Tulloch Castle.....	" Lancaster & Co.....	Ditto.....	London.	Aden. { Ceylon, Penang, and Singapore.
Blue Bell.....	" Ditto ditto .....	ditto.....	Cochin.	

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

A. W. RAVENSCROFT,

Post Master General.

Bombay, Genl. Post Office, 14th January 1852.

Notice.

Verbal Tenders will be received at this Office, precisely at 2 o'clock p. m. on Monday next, the 19th instant, for the supply of the undermentioned Articles, and such others as may be called for during the intermediate period, viz:—

- 10 (Ten) coils Rope, Europe, 4 inches.
- 20 (Twenty) do. do. do. 3½ do.
- 20 (Twenty) do. do. do. 3 do.
- 20 (Twenty) fathoms Rope, Europe, 13 inches.
- 3¼ (Three and a quarter) yards Cloth, blue, 2nd sort.
- 8 (Eight) yards Cloth, blue, coarse.
- 1¼ (One and three quarters) yard Cloth, red, 2nd sort.
- 2 (Two) yards Cloth, red, coarse.
- 4½ (Four and a half) yards Chintz, Europe.
- ¾ (Three quarters) yard Silk, red, superfine, China.
- 13 (Thirteen) Books, Prayer.
- 11 (Eleven) do. Bible.
- 6 (Six) pounds Squills Powder.
- 3 (Three) Chairs require to be repaired and rattanned.
- 40 (Forty) Staves, Cask, Europe, from 130 to 150 gallons.
- 12 (Twelve) Bulls' Eyes, Europe, 6 inches.
- 12 (Twelve) do. do. do. 5½ do.
- 12 (Twelve) do. do. do. 5 do.
- 3 (Three) Messengers, Coir, Amundavie, best Cable laid, 9 inch knots, worked, 35 fathoms each.
- 2 (Two) Messengers, Coir, Amundavie, best Cable laid, 7 inch knots, worked, 30 fathoms each.
- 6 (Six) coils Rope, Coir, Amundavie, best, 1½ inch.

- 2 (Two) coils Rope, Coir, Amundavie, best, 2 ins.
- 10 (Ten) do. do. do. do. do. 2½ do.
- 5 (Five) do. do. do. do. do. 3 do.
- 6 (Six) do. do. do. do. do. 3½ do.
- 48 (Forty-eight) ounces Acid, Nitric.
- 2 (Two) pounds Alkali.
- 2 (Two) Blocks, wooden, single.
- 1 (One) pound Borax.
- 12 (Twelve) Bottles, glass.
- 1 (One) Broom, Magazine, short.

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 deposits 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.

E. WHICHELO, Captain,  
Deputy Commissary General.

Bombay, Depy. Commy. Genl.'s Office,  
14th January 1852.



without Stay-pins, so as to admit of the joining Shackles being inserted or taken out.

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 this Department.

The Tenders should be superscribed "Tenders for Anchors or Chain Cable," as the case may be.

The supply to be subject to examination, and rejection if not approved of, by a Committee of Officers.

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, Captain,  
Deputy Commissary General.

Bombay, Depy. Commy. Genl's Office,  
14th January 1852.

### Notice

Is hereby given, that a certain number of Unserviceable Cases (Wooden), the property of Government, will be disposed of by Public Outcry on Friday next, the 16th instant, at the Commissariat Stores, Military Store Lane, at 2 P. M.

Terms of Sale.—Immediate payment.

E. WHICHELO, Captain,  
Deputy Commy. General.

Bombay, Depy. Commy. Genl's Office,  
12th January 1852.

### Notice.

Scaled Tenders will be received at the Mint Engineer's Office, daily, from 10 A. M. to 4 P. M., for the supply of Coal, to the extent of Six Hundred Tons, or less, for the use of the Mint.

Each party tendering is requested to forward, with his Tender, a sample of the Coal proposed to be applied; and the price per Ton is to include all charges for weighing, and delivering at the Mint.

J. H. BURKE, Captain,  
Mint Engineer.

Bombay, Mint Engineer's Office,  
25th June 1851.

### 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,

F. G. BONE,  
Secretary.

Commodore's Office,  
Bombay, 14th January 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.

5 (Five) Unfit Seamen of the Indian Navy, to London, and of

1 (One) Discharged Soldier of Her Majesty's 64th Foot, to Australia.

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

F. G. BONE, Secretary.

Commodore's Office,  
Bombay, 14th January 1852.

### Notice.

With reference to the Notification dated 3rd November 1849, published in the "Government Gazette" of that year, at page 1412, it is hereby further notified that the Rajah of Deoghur Baria has reverted to the former rate of Duty on Opium passing through his Districts, viz. 8 Annas per Chest.

H. YOUNG,  
Opium Agent.

Bombay, Opium Agent's Office,  
12th January 1852.

### જાહેર નામુ

એલેક્ટ્રલ શંને ૧૮૪૯ ના શરકારી ગેન  
ટની ૧૪૧૨ ને પાંને તારી ૫ ૩ નવેમ્બર શં  
ને ૧૮૪૯ થુ જાહેરનામુ પરગટ કર્ય તે  
જાપરથી ફરી જાહેર કરવાનાં આજ ન  
દેવધડ પાર ઇઆના રાખના તાલુકાનાં  
થી અફીણ એન્ટે તે જાપર દર પેટી ને  
આઠ આંના નકાત લેવાનો આજના ભાવ  
રાખ નવકરે ફરીથી આજ કરો છું \*

નીચાણી

હેનરી, એન.

અફીણનો એન્ટે \*

તારી ૫ ૧૨ નાહે જાહેરનામુ શં

ને ૧૮૫૨ ઇશવી તુકાન તુપ

ઇ અફીણના એન્ટેની કમ્પેરી

A. RICHARDSON, Depy. Secy. to Govt.

### जाहिर नामा

એસાએ સન ૧૮૪૯ જે સરકારી ગેનેટાએ ૧૪૧૨ પુર્વાંત તારિ  
૨ નવેમ્બર સન ૧૮૪૯ આ જાહોરનામા પ્રગટ કેલા આજે ત્યા  
વચન આગળો જાહોર કરખ્યાત થત આજે એ દેવધડ વારયા જે  
થિલ રાજ્યાએ તાનુકાનૂન અફીણ જાને તોજવર દર પેટીષ  
આઠ આળે પ્રમાણે જકાત લેખ્યાઆ પુર્વેઆ દર રાજે સશરતિ  
જ્ઞે થાળો પુન્હા ચાલુ કેલા આજે

નિશાળો

હેનરી, એન.

અફીણોજે એન્ટે,

તારિ ૨૨ માજે જાહેરનામુ સન ૧૮૫૨ દષ

વી સુકામ મુંબઈ માંડવો

A. RICHARDSON, Depy. Secy. to Govt.

### Notice

Is hereby given, that a quantity of Tobacco, and one Shigram and Horse, &c. will be sold by Public Auction at the Town Custom House, on Friday the 23rd instant, at 12 o'clock.

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

H. YOUNG,  
Collector of Customs.

Bombay, Custom House,  
12th January 1852.

**अहुरेनांभु.**

अहुरेनांभु तंयाकु तथा शीगरांभ १ तथा घोडा पीगरे आलता नडीनानी तारी ५ २३ नी शुकरवारने दीने पार वागत केठनाडे की नांडवीनां अहुरे लीलांभ करीने वयवा नां आवाशे \*

६२ शिकडे टका २५ परनांभु अवेन अंजांभत रा मवा नांभुये तथा पीण करार व आंशनी प मने मालंभ करवा नां आवाशे \*

नीशांणी

हुरेनी. धंअंग,

कथरभने कलेकटर.

तारी ५ १२ नी नाडे अंनेवारी शने १८५२ धंशपी मुकाम मुंयधे नांडवी \*

A. RICHARDSON, Depy. Secy. to Govt.

**जाहिर नामा**

रेसाजे तंबाखु व शीयस एक व घोडा एक वगैरे चालने मही म्याचोमारिख २३ शुक्रवारचे रोजी बारावाजनां कोठातील नां डवो मध्ये जाहिर लेलाव कवन विकले जादल.

६२ शिकडा टके २५ प्रमाणे रेवज अमानत ठेवला पाहोजे व दुसरे करार विकरीचे समई सालूम करण्यात येतील.

निशाणी

चेनरी. यंग

कथमचे कलेकटर

तारीख १२ साचे ज्यानेवारी सन १८५२ दसवो मुका म सुबद मांडवो

A. RICHARDSON, Depy. Secy. to Govt.

**Notice.**

Verbal Tenders will be received at this Office on Thursday the 22nd instant, for executing by Contract the undermentioned Works:—

**WORKS.**

Annual Repairs to the Buildings in the Dock and Building Yard, and Coal Depôt, for the year 1852.

Annual Repairs to the Buildings on Butchers' Island, for the year 1852.

Survey Reports, and Estimates of the quantity of labour and materials to be expended, also the form of Contract to be entered into, will in the mean time remain open for inspection, copies of which may be taken, and any additional information obtained.

A deposit of 2 per cent. to be paid down previous to the bidding taking place, and a further sum of 8 per cent. on the Tender being provisionally accepted, pending sanction.

C. W. TREMENHEERE, Captain,  
Engineer to the Dock Yard.

Bombay, Dock Yard Engineer's Office,  
10th January 1852.

**अहुरेनांभु.**

अहुरेनांभु नीये ल मिलां कानि धंभराशी करवा पीगरेना मु मणपानी अरना आलता नडीनानी तारी ५ २२ नी गरेने दीने गुा दीना धंनलनीअरनी कयेरीनां शांभली वेशे. कानि.

गोदीनाडेला तथा वांडांण पांधवानी वा डानाडेली अंभारतोनी तथा कोम्पेलाणी पभारनी शंने १८५२ नी ६२ शालनी मरामत \*

देवदीवा जपरनी मरामतोनी शंने १८५२ नी ६२ शालनी मरामत \*

शरवेरपोट तथा शंभान तथा नगुरी कुटली लागशे तेना अणभाअंशनी धंआददा शतो तथा धंभराना कागलनेा मुशदा ६२ नीअंभु नावा शार जधाडा रेडुशे तथा ते नी नकल नांभुती हुाशे तो ते लेवा देशे तथा पीणु कांथे पुषुधु हुाशे तो तेपण मालंभ थाशे \*

लीलांभनी अगाजि ६२ शिकडे टका २ ये परनांभु अवेन अंजांभत रा मवा नांभुये अरन पांडाल थयेथो कथुल थये अवा शंके ते अरन कथुल करापछी वही ६२ शिकडे ट का ८ आठ परनांभु अवेन अंजांभत रा म वा नांभुये \*

**नीशांणी.**

शी. डयलीज. २रे मेनलीअर, कपतान.

गोदीनां धंनलनीअर \*

तारी ५ १० नी नाडे अंजांणीवारी शने १८५२ धंशपी मुकाम मुंयधे गोदीना धंनलनीअर नी कयेरी \*

A. RICHARDSON, Depy. Secy. to Govt.

**जाहिर नामा**

रेसाजे खाली लिहिलेली कामे मत्तानी कर्णविसोचे मुल जवानी अर्ज चालने महिन्याची तारीख २२ शुक्रवारचे रोजी गोदीचे इंजनीयरचे कचेरींत रेकुन घेतो.

**कामे**

गोदीतील व गलवत वांधाव्याचे वाखातील इमारतींची व कोळशाचे वखारींची सन १८५२ ची दरसालची मरामत. बुचर एलंड म्हणजे दोवदीचे येथील इमारतींची किता किता. सर्वे रपोट व सामान व सजुरी कोती लागेल त्याचे आकारा च्या यादी व मत्त्याचे कागदाचा मसुदा दरम्यान पाहावयांच उघडा राहिल व त्याचा नकला पाहजे असल्यास घेउ देतो व दुसरे कांही पयणे असल्यास तेही सालूम चोर्दल.

लेलावां पुर्वीं दर शिकडा टके दोन प्रमाणे रेवज अमानत ठेवोला पाहजे व अर्ज बाहाल जाहाल्यास कबुल चोर्दल असे संकेताने अर्ज कबुल केल्यावर आणखी दर शिकडा टके आठ प्रमाणे रेवज अमानत ठेवोला पाहजे.

निशाणी

चार्लस. डरलीएम. डेनेनडियर. कपतान.

गोदीचे इंजनीयर

तारीख १० साचे ज्यानेवारी सन १८५२ दसवी मुकाम सुबद गो दीचे इंजनीयरची कचेरी

A. RICHARDSON, Depy. Secy. to Govt.

**MILITARY**  
ARRIVALS AND DEPARTURES.

1851  
ARRIVALS.  
6th Jan.—Lieutenant Burrowes, 15th Regt. N. I., en route to join, from Surat.  
8th „ Captain Fellows, 3rd Madras Cavalry, en route to join, from England.  
„ „ 2nd Lieutenant Cotgrave, Engineers, on leave, from Poona.  
„ „ Lieutenant Colonel R. St. John, Infantry, to join, from England.  
„ „ Major W. Riddell, 60th Deugal N. I., to join, from England.  
„ „ Assistant Surgeon H. Deane, Medical Establishment, on duty, from Suez.  
„ „ Brigadier Forbes, Staff, on duty, from Aden.  
„ „ Colonel Roberts, to rejoin, from England.  
9th „ Captain S Barrow, 5th Madras Cavalry, to rejoin, from England.  
„ „ Lieutenant Helbert, 5th Madras Cavalry, to rejoin, from England.  
„ „ Lieutenant Lightfoot, Horse Artillery, on duty, from Ahmednuggur.  
„ „ Lieutenant W. H. Saulez, Artillery, on duty, from Poona.  
„ „ Major H. Aston, Political Employ, on leave, from Kattiarwar.  
„ „ Major W. T. Whittle, Horse Artillery, on duty, from Poona.  
„ „ Lieutenant Frankland, Marine Battalion, to rejoin, from the Deccan.  
11th „ Lieutenant Streetell, 11th Regt. N. I., on leave, from Malligaum.  
13th „ Lieutenant Champion, 24th Regt. N. I., on sick certificate, from Mahableswar.

DEPARTURES.

7th Jan.—Superintending Surgeon J. Don, Staff, on duty, to Rutnagherry.  
8th „ Lieutenant Burrowes, 15th N. I., to join, to Shikarpoor.  
„ „ Lieutenant Ledwith, 2nd Regt. E. L. I., to join, to Belgaum.  
„ „ Assistant Surgeon Bloxham, 2nd Grenadier N. I., to join, to Bhoj.  
„ „ Captain Holmes, 1st Belooch Battalion, to join, to Hyderabad.  
9th „ 2nd Lieutenant Southey, Engineers, to join, to Scinde.  
10th „ 1st Lieut. Bingham, 1st Fusiliers, on Civil Employ, to Dharwar.  
„ „ 2nd Lieutenant J. A. Ballard, Engineers, on leave, to the Madras Presidency.  
„ „ Captain Follett, Staff, on duty, to Poona.  
„ „ Captain R. Richards, 3rd N. I., on duty, to Poona.  
„ „ Lieutenant Holland, 4th N. I. (Riffo Corps), on duty, to Belgaum.  
13th „ Captain Barrow, 5th Madras Cavalry, to join, to Secunderabad.  
„ „ Lieutenant Helbert, 5th Madras Cavalry, to join, to Secunderabad.  
„ „ Major Carstairs, 6th Regt. N. I., to join, to Tanna.  
„ „ Captain Baldwin, Superintendent of Bazars, to rejoin, to Dapoolce.  
14th „ Captain Clarkson, 12th Regt. N. I., on duty, to Ahmedabad.  
„ „ Assistant Surgeon Harris, 9th Regt. N. I., on duty, to Belgaum.  
„ „ Major Hume, 10th Regt. N. I., to rejoin, to Deesa.

Bombay, Town Major's Office,  
14th January 1852.

**SHIPPING INTELLIGENCE.**

1852  
ARRIVALS.  
7th Jan.—Steamer Dwarka, J. Banks, from Kurrachee 3rd instant.  
Passengers—Several Natives.  
„ „ Ship Roscoe, A. McMooney, from Liverpool 1st Augt.  
8th „ H. C. S. V. Victoria, Lieutenant Manners, from Suez 22nd, and Aden 23rd December.  
Passengers—Mrs. St. John, Child, and Native Servant; Mrs. Carstairs; Mrs. Barrow, Child, and European Female Servant; Colonel Roberts, Bengal Army; Colonel St. John, 1st Bombay Fusiliers, and Native Servant; Major Riddell, 60th Bengal N. I.; Captain Fellows, H. M.'s 3rd Dragoons; Captain Barrow, and Lieut. Helbert, 5th Madras Cavalry; Lieutenant Jermyn, I. N.; Padri Idelphonso; two Native Female Servants. From Aden. Second Class: Mrs. Carter; and Rooraram Bujoram, and Servant.  
Government Passengers: Brigadier Forbes, and 8 Followers; 1 Native Officer, Artillery; 3 Public Followers, 3 Private Followers, Ordnance Department; 1 Warrant Officer, and 1 Private Follower, Medical Department; and 1 discharged Prisoner.  
9th „ Schooner Dewar, R. Turnbull, from Singapore 10th instant.  
10th „ Str. Sir J. R. Carnac, E. M. Beyts, from Surat 9th inst. Passengers—Several Natives.  
„ „ Str. Lowjee Family, J. Rankin, from Surat 9th inst. Passengers—50 Natives.  
„ „ Barque Nassur, Sheik Ally, Nacodah, from Calcutta 12th December.  
Passengers—20 Natives.  
„ „ Austrian Ship Isivan fo Herzog, F. Lemfic, from Newport 29th August.  
11th „ Ship Jamsetjee Cursetjee, W. F. Withycombe, from Liverpool 4th September.  
12th „ Steamer Phlox, F. M. Ellis, from Surat 11th instant. Passengers—Several Natives.  
13th „ Ship Margareta, E. Bryce, from Hongkong 25th Nov.  
„ „ Ship Good Success, R. Steuart, from China 13th Nov.  
DEPARTURES.  
6th Jan.—H. H. the Inaam of Muscat's ship of war Shah Allum, Hussein, Nacodah, to Muscat.  
Passengers—12 Natives.  
7th „ Ship Countess of London, J. Cornforth, to Liverpool. Steamer Phlox, F. M. Ellis, to Surat.  
Passengers—101 Natives.  
9th „ Ship Viceroi, W. Morrison, to China.  
„ „ Ship Mary Graham, W. Robinson, to China.  
„ „ Steamer Sir J. Jejeebhoy, J. Clark, to Surat. Passengers—Mr. Blowers; and several Natives.  
10th „ Ship Jamsetjee Jejeebhoy, G. Fitzmaurice, to China. Passenger—1 Parsee.  
„ „ Steamer Dwarka, F. Banks, to Coast and Cochin. Passengers—Mrs. Price, 2 Children, and 3 Servants; Lieut. Ballard; Venakrow Kessow; and 250 Natives.  
11th „ H. C. Steamer Feroze, Lieut. J. W. Young, to Kurrachee.  
„ „ Ship Royal Sovereign, A. Campbell, to Singapore.  
„ „ Ship Bussorah Merchant, W. Stewart, to London.  
13th „ Ketch Kalkhusrow, Essajee Dassajee, to Colombo.

A. SPENS,  
Senior Magistrate of Police.

Bombay, Police Office,  
14th January 1852.

STATEMENT OF THE FUNDS BELONGING TO "SIR JAMSETJEE JEJEEBHOY'S PARSEE BENEVOLENT INSTITUTION," ON THE 30TH JUNE 1851.

	Rs.	a.	p.
Cash deposited with Government.. . . . .	3,00,000	0	0
55 Shares in the Bank of Bengal, of Rupees 4,000 each, original cost.. . . . .	3,85,000	0	0
Surplus of the Income for 1849, paid to the Sub-Treasurer for investment . . . . .	3,564	9	9
Government Promissory Notes.. . . . .	25,000	0	0
Cash Balance remaining unexpended in the Bank of Bombay.. . . . .	2,005	2	1
Due by Government for Interest . . . . .	9,000	0	0
Due by Government for Dividend of the Shares of the Bank of Bengal . . . . .	13,200	0	0
Due for Interest on Government Promissory Notes for Rupees 25,000 . . . . .	625	0	0
Outstandings . . . . .	7,447	7	10
Total.....Rupees	7,45,842	3	8

(Signed) JAMSETJEE JEJEEBHOY,  
President of the Punchayet.

Bombay, 2nd December 1851.

Published by order of the Punchayet,  
PESTONJEE MANOCKJEE, Secretary and Treasurer.

**ABSTRACT OF HALF-YEARLY ACCOUNT OF THE SIR JAMSETJEE JEJEEBHOYS PARSEE BENEVOLENT INSTITUTION, from  
1st January to 30th June 1851, prepared in conformity with Clause 17th of the Bye-Laws; audited the 2nd day of December 1851.**

Dr.

Cr.

		Rs. a. p.			Rs. a. p.
To Amount of Balance on the 1st January 1851, as per last account, published in the Government Gazette of the 30th May 1851		34,429 4 0	By Amount paid on Accounts which were due on the 31st December 1850.		101 0 0
			"    "    of Surplus of last year's Annual Income, carried to the Account of this year's General Income, in conformity to Clause 41st of the Deed of the Institution		10,000 0 0
			"    Balance		10,101 0 0
	Rupees	34,429 4 0			24,328 4 0
					34,429 4 0
To Balance		24,328 4 0			
"    Amount of Interest on the Capital, Rs. 3,00,000, from 1st January to 30th June 1851, at 6 per cent., received from Government	Rs. 9,000 0 0		<b>AT BOMBAY.</b>		
"    Amount of Dividend on 55 Shares in the Bank of Bengal, from 1st January to 30th June 1851, at 12 per cent.	13,200 0 0		By 180 Shares for the Boys' and Girls' Schools, at Rs. 75½ per each Share	Rs. a. p. 13,545 0 0	Rs. a. p. 10,110 4 7
"    Amount of Interest on Government Promissary Notes for Rs. 25,000, from 1st January to 30th June 1851, at 5 per cent.	625 0 0		"    20 Shares for maintaining Poor and Indigent Disabled Parsees	1,505 0 0	1,491 0 0
"    Amount of Surplus of last year's Annual Income, carried to the account of this year's General Income, in conformity to Clause 41st of the Deed of the Institution, as per letter to Government of the 7th September 1850.	10,000 0 0		"    20 Shares for marrying the Daughters of Poor Indigent Parsees	1,505 0 0	875 0 0
	32,825 0 0		"    10 Shares for defraying the Funeral Expenses of Indigent Parsees	752 8 0	90 0 0
			<b>AT SURAT.</b>		
			"    35 Shares for the Boys' and Girls' Schools	2,633 12 0	374 15 2
			"    30 Ditto for maintaining and providing for Poor and Indigent Parsees	2,257 8 0	1,125 0 0
			"    10 Shares for marrying the Daughters of Poor Indigent Parsees	752 8 0	375 0 0
			"    5 Shares for defraying the Funeral Expenses of Poor Indigent Parsees	376 4 0	0 0 0
			<b>AT OODEYPOOR.</b>		
			"    20 Shares for the Boys' and Girls' Schools	1,505 0 0	224 12 3
			"    10 Ditto for maintaining and providing for Poor and Indigent Parsees	752 8 0	387 0 0
			"    7 Shares for marrying the Daughters of Poor Indigent Parsees	526 12 0	220 0 0
			"    3 Shares for the Funerals of Indigent Parsees	225 12 0	44 0 0
					1,280 3 9
					365 8 0
					306 12 0
					181 12 0
<b>DEDUCT GENERAL CHARGES, AS UNDER, VIZ:—</b>					
Amount of Monthly Establishment, from 1st Jan. to 30th June 1851	Rs. 1,182 0 0				
Amount for advertising the Accounts of the Institution, for the year 1850	319 3 7				
Amount of Passage-money paid to the Head Schoolmaster, Mr. Robert Lott	1,200 0 0				
	2,701 3 7				
	30,123 12 5				

[ 14 ]



Amount for the distribution into 400 Shares, at Rs. 75½ each. . . . . 30,123 12 5  
 Amount of Balance due on sundry Accounts on the 30th June 1851,  
 but not then paid . . . . . 4,582 5 0

AT NOWSARY.			
10 Shares for the Boys' and Girls' Schools	752 8 0	129 8 0	623 0 0
10 Ditto for maintaining Poor and Indigent Disabled Parsees	752 8 0	369 0 0	383 8 0
7 Shares for marrying the Daughters of Poor Indigent Parsees	526 12 0	155 0 0	371 12 0
3 Shares for the Funerals of Indigent Parsees	225 12 0	88 0 0	137 12 0
AT BROACH.			
5 Shares for the Boys' and Girls' Schools	376 4 0	60 0 0	316 4 0
8 Ditto for maintaining and providing for Poor and Indigent Disabled Parsees	602 0 0	301 0 0	301 0 0
4 Shares for marrying the Daughters of Indigent Parsees	301 0 0	50 0 0	251 0 0
3 Shares for the Funerals of Indigent Parsees	225 12 0	0 0 0	225 12 0
Amount of difference in making distribution into Shares	23 12 5	0 0 0	23 12 5

Total . . . Rupees 30,123 12 5 16,469 8 0 13,654 4 5

Balance unexpended . . . Rs. 42,564 13 5

Total . . . Rupees 59,034 5 5

TOTAL . . . Rupees 59,034 5 5

BALANCE, viz:—

In the Bank of Bombay	Rs. 2,005 2 1
Due by Government for Interest	9,000 0 0
Due by Government on account of the Dividend of the Shares of the Bank of Bengal	13,200 0 0
Due for Interest on Government Promissory Notes for Rupees 25,000	625 0 0
Government Promissory Notes	25,000 0 0
Outstandings	7,447 7 10
<i>Deduct,</i>	57,277 9 11
Balance of Donation Account	14,712 12 6
Net Balance . . . . . Rupees	42,564 13 5

We hereby declare that we have examined this Account, and found it correct.

(Signed) FRAMJEE BOMANJEE, } Auditors.  
 " BOMANJEE JEJEEBHOY, }

(Signed) JAMSETJEE JEJEEBHOY,  
 President of the Panchayet.

2nd December 1851.

Donation Account from 1st January to 30th June 1851.

To Balance up to 1st January 1851	14,207 12 6	By Balance	14,712 12 6
„ Amount of Donations from 1st January to 30th June 1851	505 0 0		
Rupees	14,712 12 6	Rupees	14,712 12 6

Bombay, 15th January 1852.

Published by order of the Panchayet,  
 PESTONJEE MANOCKJEE, Secretary and Treasurer.

(Signed) PESTONJEE MANOCKJEE,  
 Secretary and Treasurer.



## सन १८५१ चा कायदा ६ वा

इंडियाचे कौसलाचे आनराबल प्रे मिडेंट कौमल थापो सन १८५१ चे जून महिन्याचे ६ वे तारि  
खेस इंडियाचे मोस्ट नेाबल गवर्नर जनरल यांचे अनुमत्ताने ठरविला.

मुंबई मध्ये जा कितीएक जा जमोनींस फोरासाची जमोन म्हणतात त्या जमोनीं विषयी कायदा.

जा कितीएक जमोनीवर फोरास नावाचा धारा आज पर्यंत घेतला जातो त्या जमोनींचे असल धन्याचे रक्क इंड इंडिया कंपनीकडे आहे आणि त्या जमोनीचा शिमा जो नकाशा १ चे अंकाचा मुंबईचे सरकारचा सकटतारी इफिसात ठेवला आहे त्यांत मुंबईचे कौसलचे रेट अनराबल गवर्नर व कौसलदार यांचे सचोसुद्धां स्पष्ट आहेत आणि त्या जमोनी साल दरसा ल उपरी लोकांचा इवालों केव्हा जातात आणि सरकारचा उपकाराने व मेहेरबानोने अवश योग्य दिवसें कीं सदरळ न काशांत लिहिलेले जमोनी वरून इंड इंडिया कंपनीचा रक्क उडाला पाहिजे आणि या जमोनी शिवाय जा जमोनींत राज मार्ग व तलाव व सर्व लोक चिंता करितां इतर बंदिखे करावया करितां घेतल्या आहेत व घेतल्या जातील त्यांचा इदी १ चे अंकाचे नकाशांत सदरळ प्रमाणे सचोसुद्धां लिहिल्या आहेत व तो नकाशा सदरळ सकटतारी इफिसांत ठेवला आहे त्यांतोच जमोनीचा तपमोल यांत खाली लिहिला आहे त्या शिवाय सर्व जमोनी वरून इंड इंडिया कंपनीचा रक्क उडाला पाहिजे यास व खाली लिहिल्या प्रमाणे ठरविलें आहे.

१ सन १८५१ चे जुलई महिन्याचे पहिले तारिखे पासून जा सर्व जमोनीं १ चे अंकाचे नकाशांत लिहिल्या आहेत त्यां वर दुसरे कोणाचे रक्क नाहीसें होऊन इंड इंडिया कंपनीचा हातांत मोठे रखे व तळीं व सर्व लोक चिंता करितां कांही बंद ख्या करितां याया.

२ सदरळ जुलई महिन्याचे पहिले तारिखे पासून १ चे अंकाचे नकाशांत लिहिलेलां शिवाय वरकड जमोनी जा तपमो खवार १ ले अंकाचे नकाशांत लिहिल्या आहेत त्या सदरळ कंपनीचे हातातून व त्यांवरची कंपनीची मालकी जो हाकी त्यांचे धारे भरितात व जाचा कवजात आहेत त्याकडे जावी आणि जो धारा त्या जमोनीघाटों वहाँ भरावा लागतो तो दावा लागिल आणि साल मिळकतीचे जप्तोने अथवा दुसरे रीतीने जसा मुंबईतील जमोनीचा धारा वरकड करितात अथवा कोण तेची कायद्या प्रमाणे वरकड करण्यात येईल त्या प्रमाणे त्याचाही वरकड करावा परंतु जेव्हा कोणी वारस नसेल किंवा वरिवाट दार नसेल किंवा माहापराध शाबूद होईल किंवा दुसरी कांही अशी सवव होईल कीं जो मुळें मालधन्याची मालकी उडून जाईल तेव्हा सदरळ मालधन्याची मालकीची उडून जाईल,

३ जा रीतीने धारा भरणारा व दुसरीं माणसें यां मध्ये संबंध आहे त्या प्रमाणे जे साणूस सदरळ जमोनीचे उखल खाते त्याचे चिंता करितां कंपनीचा रक्क उडून जाईल आणि कोणी वरिवाटदार अथवा दुसरे कोणी साणूस जांचा कवजात जमी न असेल त्यांचा चिंता करितां कंपनीचा रक्क उडणार नाहीं,

४ या कायद्यांत जा जा गोष्टी लिहिल्या आहेत त्यांवरून असें समजून ये कीं मुंबईतील जमोनीवर साधारण कांही फाळा वसवील अथवा सन १८५१ चा १८ व्या व सन १८५० चा १० व्या कायद्या प्रमाणे ठरविला आहे त्या पासून सदरळ जमी नीस माफी आहे.

५ सदरळ जुलई महिन्याचा १ ले तारिखे पासून जसे फार लवकर अनुकूल पडेल तसे मुंबईचे गवर्नर कौसल पराकाठा पांच योग्य साणसांस या कायद्यांत लिहिलेले कारणे साठीं पंच नेमोल (आणि सदरळ गवर्नर कौसलाचा नजरेस योग्य वा टेल तितका पंगार किंवा वेतन त्यांस ठरवेल) (आणि त्यांपैकी दोघेजण सरकारो असलदार असावे) आणि पंचांपैकी तोम किं वा चार एकत्र जमतोल तेव्हा या कायद्या प्रमाणे सर्व कामे करण्यास अधिकार त्यांस आहे आणि अर्द्धा त्यांपैकी कोणी मरेल कि वा चाकरी सोडेल किंवा वरतरक होईल किंवा इतर सववेने मरेलजर होईल तेव्हा गवर्नर कौसल दुसऱ्यास त्याचे जामी नेमोल.

६ सदरळ नकाशाची नकल मुंबई सरकारचे सकटतारी पैकीं एकाचे सचोसुद्धां पंचांघाठी दिली पाहिजे आणि पंचाच दप्तारांत दाखल करावी.

७ जुलई महिन्याचे १ ले तारिखे पासून आणि ती नंतर सदरळ पंच १ चे अंकाचे नकाशांत लिहिलेले जमोनीची आ णि जो खर्च तोचा मरामती साठीं केला आहे त्याचा सुपार का टून पंच ठरवितो व या कायदा अंमलांत आणण्याचे खर्चा चा सुमार पंच काढतो आणि सदरळ अजमासाचा आंकडा घेवटला १ ले अंकाचे नकाशातील जमोनीवर फाळा वसपून जा रीतीने व जा चिंता प्रमाणे त्याचे नजरेस येईल त्या प्रमाणे वसूल घेण्याचा बंदोबस्त करितोच आणि सदरळ फाळा वसपि खाने उत्पन्न होईल ते फोरास जमोनीचे फाखाची पुंजा असें नाक असार्थे आणि सदरळ अजमास करण्या साठीं आणि

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याद २ जी

ए यादमां साहेदीओने बोलाववानो समननो नमुनो हे

फोरास जमीनना कायदा प्रमाणे पंच

तमोए—सन १८५१ ना ६ ठा कायदाना ठराव प्रमाणे फलाणे दिवसे आटले वागते साहेदी पुरवानेवाको पंचनो.  
रचण हाजर धरुं.

(सही)

पंचवाळाओ

याद त्रिजो

ए यादमां चिठ्ठीनो नमुनो हे.

सन १८५१ नो फोरास जमीननो कायदा ६ ठो

आ उपरथी लखी आयामां आवेक के सन १८५१ ना ६ ठा कायदा प्रमाणे सर्व लोकना हितवाखे आटले रपिय  
जमीन लीधी ते बाबत जेनां कथजासां आ चिठ्ठीहे ते फोरास जमीनना फाळानी पूजीमांथी मागनार हे.

(सही)

पंचवाळाओ

(True Translation.)

A. RICHARDSON, Depy. Secy. to Govt.













