



# Bombay Government Gazette.

Vol. 22.]

Published by Authority.

[No. 6.

Three Rs. per Quarter.]

THURSDAY, 5TH FEBRUARY 1852.

[Eight annas per copy.

## NOTIFICATION.

Bombay Castle, 4th August 1831.

GENERAL DEPARTMENT

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

Bombay Castle, 18th January 1832.

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

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

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

## NOTICE.

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

Bombay, 5th April 1848.

J. G. LUMSDEN, Secy. to Govt.

## Notice

Is hereby given, that persons desirous of entering into a Contract for the supply of Coffins, &c. to this Department, for the term of one year, 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 they may require.

Verbal offers for the Contract will be received at this Office at 2 P. M. on Friday the 6th proximo, when persons will be required to bid a per-centage above or below the prices exhibited in the above-mentioned list, on the understanding that the articles to be supplied under this Contract 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 quantity or quantities as may from time to time be required; 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 periods stated in the requisitions made upon him or them, in failure whereof, or if the supply be condemned by a Committee of Officers, as aforesaid, the Coffins, &c. or such others as may be required in lieu thereof, shall be purchased by this Department, without reservation, at his or their risk and cost; and in all such cases an advance of Rupees (30) thirty per cent. upon the amount

of expenses incurred, or a fine of Rupees (50) fifty, at the option of the Executive Officer, 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 (18) eighteen 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 (73) seventy-three, to be held by Government for the due fulfilment of his Contract.

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

The amount of retrenchments made by the Military Board 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, it 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 366, or 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. WHICHLO, Major,  
Deputy Commissary General.

Bombay, Deputy Commy. Genl.'s Office,  
20th January 1852.

### 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.

### Notice

Is hereby given, that Verbal Tenders will be received at this Office, at noon, on Friday the 13th proximo, for supplying cleaned Gram, Mutt, and Badjree to the Commissariat Department at Ahmednuggur, 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 Horse Artillery Lines at Ahmednuggur, 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 quality 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 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 Ahmednuggur, 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 (254) two hundred and fifty-four, 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 (1,016) one thousand and sixteen, 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, for Gram, Rupees (5,085) five thousand and eighty-five, and for Mutt and Badjree uncertain.

**जाहीर नामा**

ऐसाजे सुंबहन अथवा सुंबरे ताब्यातील जाग्यात पीकलेले मिठापैकी खाली लिहिलेले गोळ्याकरिता जितकें पाहजे तितकें मिठ मसुबार येथील कलेकटर साचेव तारीख १ जानेवारी पासून तारीख २८ फेब्रुवारी सन १८५२ पर्यंत खाली लिहिलेले दरा प्रमाणे खरीद घेतोस

कानानोर	१२०	बंगाली मणाचे दर	गारसास
रुपये	..	..	२७ प्रमाणे
तालचेरी	..	..	किता २८ किता
कालीकोट	..	..	किता २९ किता
पानानी	..	..	किता २९ किता

आणखी जाहीर खबर दिल्ली जातें जे सुंबहन दर बंगाली मणाचे फथाने मिठ मापतात तशाच फथाने येथे मिठ मापतात.

निशाणो  
एच. कानली  
कलेकटर

तारीख ५ माचे जानेवारी सन १८५२ इसवी सुक्राम  
मसुबार कलेकटरचो कचेरी कालिकोट

A. RICHARDSON, Depy. Secy. to Govt.

**Notice**

Is hereby given, that Sealed Tenders will be received at this Office, and also at the Office of the Commissary General, Bombay, at any time before noon on Saturday the 14th February 1852, for the exclusive privilege of selling Country Liquors and Drugs to the Native Troops and Followers at this Station, and also to the Inhabitants of the Town and Suburbs of Kurrachee, for a period of twelve months, viz. from the 1st of May 1852 to the 30th of April 1853.

2. The Native Troops now at this Station consist of—

	Strength.
The 2nd Company 4th Battalion Artillery.	96
" 6th " " " " "	95
" 2nd Company and Detachment of 1st Company Sappers and Miners..	171
" 1st Grenadier Regiment N. I. ....	842
" 5th Regiment Native Light Infantry.	884
" Gun Lascars attached to 1st Troop Horse Brigade.....	25
" Store and Tent Lascars attached to the Kurrachee Arsenal .....	120
<b>Total..</b>	<b>2,233</b>

But should it so happen that any alteration takes place before the day fixed for the sale of the Contracts, then the Contracts are to be entered into for the number of Native Troops actually present on that day.

3. The Tenders are to specify, in words as well as figures, the sum that will be paid monthly for each Contract; and no Tender for the Liquor Contract will be received unless accompanied by a cash deposit of Rupees 625, or for the Drug Contract unless accompanied by a cash deposit of Rupees 200, which sums will be forfeited in the event of delay, evasion, or refusal to execute the necessary Deed of Contract.

4. Of the sum that may be paid monthly for the Liquor Contract, Rupees 25 per cent., and of the sum that may be paid for the Drug Contract, Rupees 35 and Annas 8 per cent. will be considered as paid for the privilege of selling Liquor and Drugs to the Inhabitants of the Town and Suburbs of Kurrachee.

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 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.

H. HOLLAND, Lieutenant,  
Sub-Assistant Commissary General.

Ahmednuggur, Commissariat Office,  
12th January 1852.

**Notice**

Is hereby given, that the Collector of Malabar will purchase all such Salt, the produce of Bombay, or other places subordinate thereto, as may be required for the use of the undermentioned Gollahs, from the 1st January to the 28th February 1852, at the rates detailed below :—

Cannanore, at 27 Rupees per Garce of 120 Indian Maunds.

Tellicherry,	at 28 ditto	ditto	ditto.
Calicut,	at 29 ditto	ditto	ditto.
Ponany,	at 29 ditto	ditto	ditto.

It is further notified, that the Salt is measured by Parrabs (of one Indian Maund) of the same capacity as those in use at Bombay.

H. CONOLLY,  
Collector.

Malabar, Collector's Office,  
Calicut, 5th January 1852.

जुहुरे नांजु

ऐतुजुंजुं जुंयथं नां अथवा जुंयथं ता  
यांनी नगनां पाडेलां भीठां नाजु नीये ल  
मेला गोला यार नरुं न्नाथं ये तेरुं भी  
हुं नलयारनां कलेकटर साडेय तारीय १ ली  
जुंनेवारीथी ते तारीय २८ भीशय्यरवारी थं  
ने १८५२ शुधी नीये ल मेला लाय परनांजे  
वयातु लेथे \*

कानानोर १२० बंगाली मणना

६२ गारशे .....३पीया २७ परनांजे  
तालयेरी .....येनंन. २८ येनंन  
कालीकोट .....येनंन. २९ येनंन  
पानानी .....येनंन. २९ येनंन

१ली जुहुरे करवनां आवेछु न जुय  
थं नां ६२ बंगाली मणना क्राथी भीहु नापे  
छु तेडेवांन क्राथी भीहु अडीयां नापेछु .

नीशाणो  
ऐय—कानली,  
कलेकटर\*

तारीय ५ नी जाडे जुंनेवारी थंने १८५२  
थंशवी जुकांन नलयार कलेकटरनी  
कयेरी कालीकोट \*

A. RICHARDSON, Depy. Secy. to Govt.

5. The amounts to be paid for the Contracts shall not be increased or decreased as Troops arrive at or depart from the Station, unless the number of arrivals or departures shall exceed one-fourth of the number of Sepoys present on the day of sale, in which case the amount payable shall be increased or decreased to such extent as a Committee of Officers shall determine.

6. The person or persons whose Tenders may be accepted will be required to make the monthly payments in advance. He or they will also be required, before entering on the performance of the Contracts, to deposit with the Superintendent of Bazars the amount of one month's stipulated payment, as his or their personal security, and to furnish two unexceptionable Securities for the due fulfilment of the terms of the Contract.

7. The party whose Tender for the Liquor Contract may be accepted, will be required to bind himself to defray the expenses of maintaining a Preventive Police, when and wherever it may be found necessary by the Officer Commanding the Station, for preventing the clandestine sale of Spirits to European Troops.

8. The Contractor or Contractors will be allowed no Drawback on account of scarcity, drought, &c., and the Contracts will not be considered binding till confirmed by the Military Board.

9. The Forms of Contracts may be seen, and all further particulars learnt, on application at this Office, daily, between the hours of 11 and 4, Sundays excepted.

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

WILLIAM GRAY, Lieut.,  
Superintendent of Bazars.

*Kurrachee, Bazar Office,  
10th December 1851.*

### Notice

Is hereby given, that Verbal Offers will be received at this Office, at 12 o'clock on Friday the 13th proximo, for the supply of such of the under-mentioned Articles of Provisions as may be required by the Commissariat Department, for the use of the European Troops and Departments at Ahmednuggur, for the period of 10 Months from 1st March next: Lists of the Provisions 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).

- No. 1, For Bread, Biscuits, &c.
- No. 2, For Beef, Mutton, &c.
- No. 3, For Coffee, Tea, Sugar, &c., as per Muster.
- No. 4, For Rice, Salt, and Wood, as per Muster.
- No. 5, For Arrowroot, Barley (Europe), and Sago, as per Muster.
- No. 6, For Beer, Brandy, Wine, &c.
- No. 7, For Barley (Country), Butter, Milk, and Chickens, &c.

The above Contracts will be applicable to Hospitals also.

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 at Ahmednuggur.

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 abovementioned 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.
No. 1, Co.'s Rs.	265	Co.'s Rs. 1060
" 2,	150	600
" 3,	125	500
" 4,	125	500
" 5,	2	8
" 6,	20	80
" 7,	25	100

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, whenever procurable, at their risk and loss; and in all such cases the Contractors will be liable to be fined fifty (50) Rupees, or thirty (30) 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. 1	.....	Rs. 5296
" 2	.....	3037
" 3	.....	2496
" 4	.....	2534
" 5	.....	45
" 6	.....	422
" 7	.....	516

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.

H. HOLLAND, Lieutenant,  
Sub-Assistant Commissary General.

*Ahmednuggur, Commissariat Office,  
21st January 1852,*

ANNO DECIMO QUARTO ET DECIMO QUINTO

VICTORIÆ REGINÆ.

CAP. XL.

*An Act for Marriages in India.*

[24th July 1851.]

**W**HEREAS it is expedient to amend the Law of Marriages in India: Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

I. In every case of marriage intended to be solemnized in India after the commencement of this Act, where one or both of the parties is or are a person or persons professing the Christian religion, such marriage may be solemnized under the provisions of this Act; and where such marriage is intended to be so solemnized, one of the parties shall give notice in writing to the Marriage Registrar to be appointed under the provisions of this Act for the district within which the parties shall have dwelt for such period then next preceding as by such Laws or Regulations as herein-after mentioned may be required, or, if the parties dwell in the districts of different Marriage Registrars, shall give the like notice to the Marriage Registrar for each district; and every such notice shall be in such form, and contain such particulars as may be prescribed by such Laws or Regulations, and shall be open for inspection, and published, as by such Laws or Regulations may be provided.

Marriage of Christians in India may be solemnized under this Act.

Notice of intended Marriage to be given to the Marriage Registrar for the District.

II. The Marriage Registrar, upon being requested so to do by or on behalf of the party by whom the notice was given, and one of the parties intending marriage having made oath or declaration as herein-after required, shall issue under his hand a certificate of such notice having been given, and of such oath or declaration having been made; provided no lawful impediment according to the law of England be shown to the satisfaction of the Marriage Registrar why such certificate should not issue, and the issue of such certificate have not been sooner forbidden, in manner herein-after mentioned, by any person or persons by this Act authorized in that behalf: Provided always, that where by such oath or declaration it appears that one of the parties intending marriage (not being a widower or widow) is under twenty-one years of age, the Marriage Registrar shall not issue such certificate until the expiration of such period after the giving of such notice as may be in this behalf provided by such Laws or Regulations as herein-after mentioned.

Certificate of Notice to be issued on Request.

Proviso.

III. The father, if living, of any party under twenty-one years of age, such party not being a widower or widow, or, if the father be dead, the guardian or guardians of the person of the party so under age lawfully appointed, or one of them, and in case there be no such guardian, then the mother of such party, if unmarried, shall have authority to give consent to the marriage of such party; and such consent is hereby required for the marriage of such party so under age, unless there be no person authorized to give such consent resident in India.

Who to give Consent if Parties under Age.

IV. Every person whose consent to a marriage is required as aforesaid is hereby authorized to forbid, in such manner as may be provided by such Laws or Regulations as herein-after mentioned, the issue of the Marriage Registrar's certificate; and in case the issue of any such certificate be so forbidden, the notice and all proceedings thereupon shall be utterly void: Provided always, that (subject to such Laws and Regulations) if either of the parties intending marriage allege that the person forbidding the issue of such certificate is not authorized by Law so to do, the Marriage Registrar shall examine into such allegation, and if he be satisfied that such person is not authorized as aforesaid, shall act in like manner, and the like proceedings may be had under this Act in relation to such marriage, as if the issue of such certificate had not been forbidden by such person.

Issue of Registrar's Certificate may be forbidden.

V. If any person whose consent is necessary to any marriage under this Act shall be *non compos mentis*, or if any such person (other than the father) shall, without just cause, withhold his or her consent to a marriage, the parties intending marriage may apply by petition, where the person whose consent is necessary is resident, within any of the towns of Calcutta, Madras, and Bombay, to the Supreme Court of Judicature established by Royal Charter in the Presidency or place in which such person is resident,

Supreme Court or Judge of the Zillah or District may relieve where Consent improperly withheld.

or if such person be not resident within any of the said towns, then to the Judge of the zillah or like district within which such person is resident, or to such other person as may for this purpose be appointed under the Laws or Regulations herein-after mentioned; and the said Supreme Court, or any Judge thereof, or such Judge of the zillah or district, or such other person, shall be empowered to examine the allegations of the petition in a summary way; and if upon such examination such marriage appear proper, such Supreme Court, or any Judge thereof, or such Judge of the zillah or district, or such other person, shall declare the same to be so, and such declaration shall be as good and effectual as if the person whose consent was needed had consented to the marriage; and in case such person has forbidden the issue of the Marriage Registrar's certificate, such certificate shall be issued, and the like proceedings may be had under this Act in relation to the marriage, as if the issue of such certificate had not been forbidden by such person, anything herein-before contained to the contrary notwithstanding.

Oath or Declaration to be made before Issue of Certificate.

VI. Before any such certificate as aforesaid shall be issued by any Marriage Registrar, one of the parties intending marriage shall appear personally before such Marriage Registrar, and shall make oath, or shall make his or her solemn declaration instead of an oath, that he or she believeth that there is not any impediment of kindred or affinity, or other lawful hindrance to the said marriage, and that both the parties to the intended marriage have, or (where the parties have dwelt in the districts of different Marriage Registrars) that the party making such oath or declaration hath, for the period required by such Laws or Regulations as are herein-after mentioned, had their, his, or her usual place of abode within the district of such Marriage Registrar, and where either or each of the parties, not being a widower or widow, is under the age of twenty-one years, that the consent of the person or persons whose consent to such marriage is required by law has been obtained thereto, or that there is no person resident within the territories under the Government of the East India Company having authority to give such consent, as the case may be: Provided always, that where under the foregoing provision the said Supreme Court, or a Judge thereof, or such Judge of the zillah or like district, or such other person as aforesaid, declares the marriage to be proper, it shall not be necessary to make oath, or declare that such consent has been obtained to such marriage.

Protest against Issue of Certificate may be entered.

VII. Any person may, in manner provided by such Laws or Regulations, enter a protest with the Marriage Registrar against the issue of a certificate for the marriage of any person named therein; and if any protest be so entered, no certificate shall issue until the Marriage Registrar shall have examined into the matter of the protest, and is satisfied that it ought not to obstruct the issue of the certificate for the said marriage, or until the protest be withdrawn by the party who entered the same.

Appeal where Registrar refuses Certificate.

VIII. In all cases whatsoever where the Marriage Registrar has refused such certificate as aforesaid, it shall be lawful for either of the parties intending marriage to apply by petition, where the district of such Registrar is within any of the towns of Calcutta, Madras, and Bombay, to the Supreme Court of Judicature established by Royal Charter in the Presidency or place within which such district is comprised, or if such district be not within any of the said towns, then to the Judge of the zillah or like district within which the same is comprised, or to such other person as may for this purpose be appointed by the Laws or Regulations herein-after mentioned; and the said Supreme Court, or any Judge thereof, or such Judge of the zillah or like district, or such other person, shall be empowered to examine the allegations of the petition in a summary way, and shall decide thereon; and the decision of such Supreme Court, or a Judge thereof, or of such Judge of the zillah or like district, or of such other person, shall be final, and the Marriage Registrar to whom the application was originally made shall proceed in accordance therewith, anything herein-before contained notwithstanding.

After Issue of Certificate, Marriage may be solemnized in the Presence of Marriage Registrar and two Witnesses.

IX. After the issue of the certificate of the Marriage Registrar, or, where notice is required to be given under this Act to the Marriage Registrars for different districts, after the issue of the certificates of the Marriage Registrars for such districts, marriage may be solemnized between and by the parties described in such certificate or certificates, according to such form and ceremony as they may see fit to adopt. Provided nevertheless, that every such marriage shall be solemnized between such hours as shall be fixed by the Laws or Regulations herein-after mentioned, in the presence of some Marriage Registrar, to whom shall be delivered such certificate or certificates as aforesaid, and of two or more witnesses: Provided also, that in some part of the ceremony each of the parties shall declare,

"I do solemnly declare that I know not of any lawful impediment why I, A. B., may not be joined in matrimony to C. D.;" or shall declare to the like effect.

And each of the parties shall say to the other,

"I call upon these persons here present to witness that I, A. B., do take thee, C. D., to be my lawful wedded wife [or husband]"; or words to the like effect.

Provided also, that there be no lawful impediment to the marriage of such parties.

X. Whenever a marriage is not had within three calendar months after the notice shall have been so entered by the Marriage Registrar, the notice and the certificate which may have been issued thereupon, and all other proceedings thereupon, shall be utterly void; and no person shall proceed to solemnize the marriage, nor shall any Marriage Registrar register the same, until new notice shall have been given, and entry made, and certificate thereof given, at the time and in the manner aforesaid.

When Marriage is not had within Three Months after Notice, a new Notice required.

XI. After the solemnization of any marriage under this Act, the Marriage Registrar present at the solemnization thereof shall forthwith register such marriage in duplicate; that is to say, in a Marriage Register Book, according to the form of Schedule to this Act annexed, and also in a certificate attached to the Marriage Register Book, as a counterfoil; and the entry of such marriage in both the certificate and the Marriage Register Book shall be signed by the person by or before whom the marriage has been solemnized, if there be any such person, and by the Marriage Registrar present at such marriage, whether or not the marriage is solemnized by him, and also by the parties married, and attested by two witnesses; and every such entry shall be made in order from the beginning to the end of the book, and the number of the certificate shall correspond with that of the entry in the Marriage Register Book

Marriages to be registered.

XII. The Marriage Registrar shall forthwith separate the certificate from the Marriage Register Book, and transmit it, at the end of every month, to the Secretary to the Government of the Presidency or place within which he resides, or to such other Officer as may for this purpose be appointed under the Laws or Regulations herein-after mentioned; and if no marriages have been registered during such month, the Marriage Registrar shall certify such fact under his hand, and such certificate shall be transmitted as aforesaid; and the Marriage Registrar shall keep safely the said Register Book until it be filled, and shall then transmit the same to the Secretary to the Government, or to such other Officer as aforesaid, to be kept by him with the records of his Office; Provided, that with regard to those marriages so certified, of which it may appear to the Governor General in Council desirable that evidence should be transmitted to England, the Secretary to the Government, or such other Officer as aforesaid, shall, at the end of every three calendar months in each year, send all the certificates of marriage sent to him as aforesaid during such three months, signed by him, to the Secretary of the East India Company, for the purpose of being delivered to the Registrar General of Births, Deaths, and Marriages, in England.

Certificates of Marriages to be transmitted periodically to the Secretary of the Government, &c.

XIII. After any marriage has been solemnized under this Act, it shall not be necessary, in support of such marriage, to give any proof in respect of the dwelling of the parties, or of the consent of any person whose consent thereunto is required by law, nor shall any evidence be given to prove the contrary, in any suit touching the validity of such marriage.

Proof of Residence of Parties or Consent not necessary to establish Marriage.

XIV. It shall be lawful for the Marriage Registrar, before whom any marriage is solemnized, according to the provisions of this Act, to ask of the parties to be married the several particulars required to be registered touching such marriage.

Registrar may ask certain Particulars of Parties.

XV. Every person who shall enter a protest with the Marriage Registrar, against the issue of any certificate on grounds which such Marriage Registrar, or the Supreme Court of the Presidency or place, or any Judge thereof, or the Judge of the zillah or like district, or other person, to whom upon the refusal of such certificate an application is authorized by this Act, declares to be frivolous, and such as ought not to obstruct the issue of the certificate, shall be liable for the costs of all proceedings in relation thereto, and for damages, to be recovered by suit by the party against whose marriage such protest was entered.

Persons vexatiously entering Protests liable to Costs and Damages.

XVI. Every person who shall knowingly and wilfully make any false oath or false declaration, or sign any false notice or certificate, required by this Act, or by any such Laws or Regulations as herein-after mentioned, for the purpose of procuring any marriage, and every person who shall forbid the issue of any Marriage Registrar's certificate by falsely representing himself or herself to be a person whose consent to such marriage is required by law, knowing such representation to be false, shall, on conviction, be liable to be punished in such a manner as by such Laws or Regulations may be provided.

Punishment of Persons making false Oath or Declaration.

XVII. Every prosecution under this Act shall be commenced within such time after the offence committed as by such Laws or Regulations may be provided.

Limitation of Prosecution.

XVIII. The Government of each Presidency or place in India may appoint Marriage Registrars for the purposes of this Act, and may assign districts to the Registrars so to be appointed; and in respect of any places within the territories of any Native Prince or State in alliance with the East India Company, the Governor General of India in Council may appoint such Marriage Registrars, and assign to them districts.

Government of each Presidency may appoint Marriage Registrars, &c. Governor General may appoint in certain cases.

Government of each Presidency may appoint Fees to be taken under this Act, to be accounted for by Marriage Registrars.

XIX. The Government of each such Presidency and place may from time to time appoint reasonable fees to be taken of the parties intending marriage, for receiving and publishing notices of marriage, and for issuing certificates, entering protests, and registering marriages under this Act; and all such fees shall be accounted for and paid over by the Marriage Registrars to the Government Treasury, and the Government shall provide all necessary books and papers for giving effect to the provisions of this Act.

Governor General in Council empowered to make Laws and Regulations for the Purposes of this Act.

XX. It shall be lawful for the Governor General of India in Council, from time to time, by Laws and Regulations (not inconsistent with the provisions of this Act), to be made in the manner and subject to the provisions by law required in respect of Laws and Regulations made by the said Governor General in Council, to provide for the inspection and publication of notices of marriage given under this Act; for the custody and protection from injury of Marriage Register Books; for appeals from and references in cases of doubt by the Marriage Registrars in relation to marriages forbidden or protests entered under this Act; for fixing the hours between which marriages may be solemnized under this Act; for appointing the Officers to whom certificates are to be transmitted by the Marriage Registrars, and generally for giving effect to the provisions of this Act.

Marriages may continue to be solemnized as heretofore.

Power to Governor General in Council to make Laws for the Registration of Marriages not solemnized under this Act.

XXI. Nothing herein contained shall invalidate or affect any marriage which may be solemnized in India by persons in holy orders, or any marriages which may be solemnized under the provisions of the Act of the fifty-eighth year of King George the Third, chapter eighty-four, or any other marriages which under the laws for the time being in force in India might have been there solemnized in case this Act had not been passed: Provided, that it shall be lawful for the Governor General of India in Council, from time to time, by Laws and Regulations to be made as aforesaid, to provide for the registration of any marriages solemnized in India by persons in holy orders, or of any marriages there solemnized under the provisions of the said Act of the fifty-eighth year of King George the Third, chapter eighty-four, or of any other marriages there solemnized, of which it may appear to the said Governor General in Council desirable that evidence should be transmitted to England, and to provide for the care and custody of the Registers of such marriages, and for the transmission of certificates thereof to the Secretaries of the Governments of the respective Presidencies, or to other Officers, and for their sending the same to the Secretary of the East India Company, for the purpose of being delivered to the Registrar General of Births, Deaths, and Marriages, in England, and also to provide for the authentication of such certificates.

Certificates delivered to Registrar General under this Act, or under any Laws or Regulations made thereunder, to be subject to the Provisions of 6 or 7 W. 4. c. 86.

XXII. The certificates which shall be delivered to the Registrar General of Births, Deaths, and Marriages, in England, under this Act, or under any Laws or Regulations to be made thereunder, shall be kept in the General Register Office, in the same manner, and indexes thereof shall be made, and searches permitted, and copies thereof, sealed or stamped with the seal of the General Register Office, shall be given, in the like manner as by the Act of the Session holden in the sixth and seventh years of King William the Fourth, chapter eighty-six, is provided concerning the certified copies (kept in such office under the said Act) of the Registers of Births, Deaths, and Marriages, in England; and every certified copy purporting to be sealed or stamped with the seal of the said General Register Office, of any such certificate delivered to the said Registrar General under this Act, or under such Laws or Regulations, shall be received as evidence of the marriage to which the same relates, without further proof of such certificate, or of any entry therein.

Marriages under this Act valid.

XXIII. All marriages solemnized under this Act shall be good and valid in law to all intents and purposes.

Certain Marriages in India confirmed.

XXIV. And whereas it is expedient to remove all doubt concerning the validity of marriages heretofore solemnized in India by persons not in holy orders, all such marriages, if not otherwise invalid, shall be deemed and held to be valid in law to all intents and purposes.

Interpretation of "India."

XXV. In the construction of this Act, the word "India" shall include all territories for the time being under the Government of the East India Company, and all territories of any Native Princes or States in alliance with the said Company.

Commencement of Act.

XXVI. This Act shall, so far as respects the authority to make such appointments, laws, and regulations as are herein authorized to be made, commence and take effect from and after the passing thereof, and as to all other matters and things, commence and take effect from and after the first day of January, one thousand eight hundred and fifty-two, or such other day as the Governor General of India shall direct.

Publication of Act.

XXVII. The Governor General of India, and the Governors of the several Presidencies in India, shall cause this Act to be published three times in each of the Government Gazettes of the several Presidencies, the first of such publications to be made within six weeks after this Act shall have been received in such respective Presidencies.



SCHEDULE to which this Act refers.

MARRIAGE REGISTER BOOK.								CERTIFICATE OF MARRIAGE.									
No.	When married.	Name and Surname.	Whether of full Age, or a Minor.	Condition.	Rank or Profession.	Residence at the time of Marriage.	Father's Name and Surname.	Rank or Profession of Father.	No.	When married.	Name and Surname.	Whether of full Age, or a Minor.	Condition.	Rank or Profession.	Residence at the time of Marriage.	Father's Name and Surname.	Rank or Profession of Father.
1	17th May 1851.	William Smith.	Of full Age.	Bachelor.	Surgeon.	4, Clive-Street, Barrackpore.	John Smith.	Esquire.	1	17th May 1851.	William Smith.	Of full Age.	Bachelor.	Surgeon.	4, Clive-Street, Barrackpore.	John Smith.	Esquire.
		Anne Green.	Minor.	Widow.	.....	.....	James Hastings.	Esquire.			Anne Green.	Minor.	Widow.	.....	.....	James Hastings.	Esquire.
Married in the House of A. B., by [or before] me, WILLIAM JOHNSON, Marriage Registrar.									Married in the House of A. B., by [or before] me, WILLIAM JOHNSON, Marriage Registrar.								
This Marriage was solemnized between us, { William Smith, } in the Presence of { Peter Smith, } { Anne Green, } { us, } { James Hastings. }									This Marriage was solemnized between us, { William Smith, } in the Presence of { Peter Smith, } { Anne Green, } { us, } { James Hastings. }								

FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,  
the 16th January 1852.

The following Act is passed by the Hon'ble the President of the Council of India in Council, on the 16th January 1852, 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. V. OF 1852.

*An Act for giving effect to the Provisions of an Act of Parliament, passed in the 15th year of the Reign of Her present Majesty, intituled "An Act for Marriages in India."*

Whereas by an Act passed in the Session of Parliament holden in the fourteenth and fiftenth years of the reign of Her present Majesty, intituled "An Act for Marriages in India," it was enacted (among other things) that it should be lawful for the Governor General of India in Council, from time to time, by Laws and Regulations, (not inconsistent with the provisions of the said Act of Parliament,) to be made in the manner, and subject to the provisions by law required in respect of Laws and Regulations made by the said Governor General of India in Council, to provide for the inspection and publication of notices of marriage given under the said Act of Parliament, for the custody and protection from injury of Marriage Register Books, for appeals from and references in case of doubt by the Marriage Registrars in relation to marriages forbidden or protests entered under the said Act of Parliament, for fixing the hours between which marriages might be solemnized under the said Act of Parliament, for appointing the Officers to whom certificates were to be transmitted by the Marriage Registrars, and generally for giving effect to the provisions of the said Act of Parliament, It is hereby enacted as follows :

I. In every case of marriage intended to be solemnized in India, after the first day of February next, under the provisions of the said Act of Parliament, one of the parties shall give notice in writing, in the form of Schedule (A), to this Act annexed, or to the like effect, to any Marriage Registrar of the district within which the parties shall have dwelt for not less than five days, then next preceding, or if the parties dwell in different districts, shall give the like notice to a Marriage Registrar of each district, and shall state therein the name, and surname, and the profession, or condition of each of the parties intending marriage, the dwelling-place of each of them, and the time, not being less than five days, during which each has dwelt therein, and the Church, Chapel, or other building in which the Marriage is to be solemnized ; provided that if either party shall have dwelt in the place stated in the notice during more than one calendar month, it may be stated therein that he or she hath dwelt there one month and upwards.

II. The Marriage Registrar shall file all such notices, and keep them with the records of his Office, and shall also forthwith enter a true copy of all such notices fairly into a book, to be for that purpose furnished to him by the Government, to be called

Form of Notice and length of Residence necessary.

Inspection of Notices.

the "Marriage Notice Book," and the Marriage Notice Book shall be open, at all reasonable times, without fee, to all persons desirous of inspecting the same.

Publication of Notices.

III. The Marriage Registrars, or Registrar of all Districts in the British Territories in India, shall respectively publish all such notices of marriage given in their respective districts, by causing a copy of such notices to be affixed in some conspicuous place in their respective offices, or, where such Registrars are Ministers of the Christian Religion, ordained or otherwise set apart to the Ministry of the Christian Religion, such notices shall be affixed in some conspicuous place in the Church or Chapel or place of worship in which such Ministers respectively officiate. When one of the parties intending marriage (not being a widow or widower) is under twenty-one years of age, every Marriage Registrar shall, within twenty-four hours after the receipt by him of the notice of such marriage, send, or cause to be sent, by the Post or otherwise, a copy of such notice to all the other Marriage Registrars (if any) in the same district, who shall likewise affix the same in some conspicuous place in their own Offices or Chapels, as aforesaid.

Suspension of Certificate in the case of Minors.

IV. Where by the oath or declaration required by the sixth Section of the said Act of Parliament it appears that one of the parties intending marriage, (not being a widow or widower,) is under twenty-one years of age, the Marriage Registrar shall not issue his certificate under the provisions of the second Section of the said Act of Parliament until the expiration of fourteen days after the entry of such notice of marriage.

Supreme Court may order Registrar to issue his Certificate in less than fourteen days.

V. When one of the parties intending marriage (not being a widow or widower) is under twenty-one years of age, and both parties intending marriage are at the time resident in any of the towns of Calcutta, Madras, or Bombay, and are desirous of being married in less than 14 days after the entry of such notice as aforesaid, it shall be competent for both parties intending marriage to apply by petition to the Supreme Court of such town, or any Judge thereof, for an order upon the Marriage Registrar to whom the notice of marriage has been given, directing him to issue his certificate at some time before the expiration of the said fourteen days required by Section IV. of this Act. And it shall be competent to the said Supreme Court, or any Judge thereof, on sufficient cause being shown, in their or his discretion, to make an order upon such Marriage Registrar, directing him to issue his certificate, at any time to be mentioned in the said order, before the expiration of the said fourteen days required by Section IV. ; and the said Marriage Registrar, on receipt of the said order, shall proceed to issue his certificate in accordance therewith.

Form of Certificate.

VI. The certificate to be issued by the Marriage Registrar, under the provisions of the second Section of the said Act of Parliament, may be in the form of Schedule (B), to this Act annexed, or to the like effect, and the Government of each Presidency or place shall furnish to every Marriage Registrar a sufficient number of forms of certificate.

Notices and Certificates to be translated to Native Christians.

VII. When any Native Christian, about to be married, applies for or tenders a notice of marriage, or applies for a certificate from a Marriage Registrar, such Marriage Registrar shall ascertain whether the said Native Christian understands the English language, and if he does not, the said Marriage Registrar shall translate such notice or certificate, or both of them, as the case may be, or shall cause the same to be translated, to such Native Christian, in the language of such Native Christian, or the said Marriage Registrar shall otherwise ascertain whether such Native Christian is cognizant of the purport and effect of the said notice and certificate.

How Issue of Certificate may be forbidden.

VIII. Any person authorized in that behalf may forbid the issue of the Marriage Registrar's certificate, by writing, at any time before the issue of such certificate, the word "Forbidden" opposite to the entry of the notice of such intended marriage in the Marriage Notice Book, and by subscribing thereto his or her name, and place of abode, and his or her character, in respect of either of the parties, by reason of which he or she is so authorized; and the said word "Forbidden," so written and subscribed as aforesaid, shall be deemed a protest within the meaning of the seventh Section of the said Act of Parliament.

References by the Registrars in cases of doubt.

IX. In all cases where a Marriage Registrar, acting under the provisions of the fourth Section of the said Act of Parliament, shall not be satisfied that the person forbidding the issue of the certificate is authorized by law so to do, the said Marriage Registrar shall apply by petition, which may in all cases be on stamped paper, where the district of such Registrar is within any of the towns of Calcutta, Madras, and Bombay, to the Supreme Court of Judicature in the Presidency or place within which such district is comprised, or if such district be not within any of the said towns, then to the Judge of the zillah or district within which the same is comprised, and the said petition shall state all the circumstances of the case, and pray for the order and direction of the Court concerning the same, and the said Supreme Court, or any Judge thereof, or such Judge of the zillah or district, shall be empowered to examine into the allegations of the petition, and the circumstances of the case, in a summary way, and if upon such examination it shall appear that the person forbidding the issue of such certificate is not authorized by law so to do, such Supreme Court, or any Judge thereof, or such Judge of the zillah or district, shall declare that the person forbidding the issue of such certificate is not authorized as aforesaid, and that then and in such case such certificate shall be issued, and the like proceedings may be had under the said Act of

Parliament in relation to such marriage as if the issue of such certificate had not been forbidden by such person. And in all cases where a Marriage Registrar appointed to act within the territories of any Native Prince or State in alliance with the East India Company, acting under the provisions of the sixth Section of the said Act of Parliament, shall not be satisfied that the person forbidding the issue of the certificate is not authorized by law so to do, the said Marriage Registrar shall transmit a statement of all the circumstances of the case, together with all documents and papers relating thereto, to the Governor General of India in Council, and if it shall appear to the said Governor General of India in Council that the person forbidding the issue of such certificate is not authorized by law so to do, the said Governor General of India in Council shall declare that the party forbidding the issue of such certificate is not authorized as aforesaid, and that then and in such case such certificate shall be issued, and the like proceedings may be had under the said Act of Parliament in relation to such marriage, as if the issue of such certificate had not been forbidden by such person.

X. In all cases whatsoever where a Marriage Registrar resident in the territories of any Native Prince or State in alliance with the East India Company has refused to issue his certificate, it shall be lawful for either of the parties intending marriage to apply by petition to the Governor General of India in Council, and the said Governor General of India in Council shall be empowered to examine the allegations of the petition in a summary way, and shall decide thereon, and the decision of the said Governor General of India in Council shall be final, and the Marriage Registrar to whom the application was originally made shall proceed in accordance therewith.

Appeal where Registrar in allied Native State refuses Certificate.

XI. Every marriage solemnized under the provisions of the said Act of Parliament shall be so solemnized between the hours of six in the morning and seven in the evening.

Hours for Marriages.

XII. When any Native Christian is married under the provisions of the said Act of Parliament, the party solemnizing the said marriage shall ascertain whether such Native Christian understands the English language, and if he does not, the party solemnizing the said marriage shall, at the time of the solemnization thereof, translate, or cause to be translated, to such Native Christian, in the language of such Native Christian, both the declarations made at such marriage in pursuance of Section IX. of the said Act of Parliament.

Declarations made at the Marriage to be translated to Native Christians.

XIII. After any marriage has been solemnized under the said Act of Parliament, it shall not be necessary, in support of such marriage, to give any proof in respect of the notice of marriage, or the certificate, or the translation thereof respectively, or in respect of the hours between which any marriage may be solemnized, or in respect of the said translations of the said declarations in Section IX. of the said Act of Parliament contained, nor shall any evidence be given to prove the contrary, in any suit touching the validity of such marriage.

Proof as to Notice, Certificate, or Hours of Marriage, &c. not necessary to establish Marriage.

XIV. Every Marriage Registrar, who shall knowingly and wilfully issue any certificate for marriage after the expiration of three calendar months after the notice shall have been entered by him as aforesaid, or who shall knowingly and wilfully issue, without the order of a competent Court, authorizing him so to do, any certificate for marriage where one of the parties intending marriage (not being a widower or widow) is under twenty-one years of age, before the expiration of fourteen days after the entry of such notice, or any certificate, the issue of which shall have been forbidden as aforesaid by any person authorized to forbid the issue thereof, shall be guilty of felony. And every person who shall knowingly and wilfully solemnize any marriage under the provisions of the said Act of Parliament in the absence of a Registrar of the district in which such marriage is solemnized, or who shall knowingly and wilfully solemnize any marriage, where one of the parties to such marriage (not being a widower or widow) is under twenty-one years of age, within fourteen days after the entry of the notice of marriage, no order for the issue of a certificate in less than fourteen days having been made by a competent Court, shall be guilty of felony.

Penalties.

XV. The Marriage Registrars in the territories of any Native Prince or State in alliance with the East India Company, shall transmit the certificates mentioned and referred to in the twelfth Section of the said Act of Parliament to the Secretary for the Foreign Department of the Government of India.

Certificates of Marriages in allied Native States to be transmitted to Secretary, &c.

XVI. Every person who shall knowingly and wilfully make any false oath or declaration, or sign any false notice or certificate, required by the said Act of Parliament or this Act, for the purpose of procuring any marriage, and every person who shall forbid the issue of a Marriage Registrar's certificate, by falsely representing himself or herself to be a person whose consent to such marriage is required by law, knowing such representation to be false, shall, on conviction, suffer the penalties of perjury.

Punishment for making false Oath or Declaration.

XVII. Every prosecution under this Act shall be commenced within the space of two years after the offence committed.

Limitation of Prosecution.

XVIII. The Governor General of India in Council may appoint any covenanted or uncovenanted servant of the Company, being a Christian, or any Minister of the Christian Religion, ordained, or otherwise set apart to the ministry of the Christian Re-

Appointment of Registrars in allied Native States, and as to their Fees.

ligion, according to the usage of the persuasion to which he may belong, to be a Marriage Registrar in any district, to be assigned by the Governor General of India in Council in any place within the territories of any Native Prince or State in alliance with the East India Company. And the said Marriage Registrar shall be entitled to receive the following fees: that is to say, for receiving each notice of marriage, one rupee, for publishing each notice of marriage, two rupees, for the issuing of each certificate, five rupees, for every marriage forbidden or protest entered, ten rupees, and for registering each marriage, three rupees, and all such fees shall be accounted for and paid over by the Marriage Registrar to the Government Treasury as in the said Act of Parliament mentioned. Provided always, that in any case in which it shall appear to the satisfaction of the Marriage Registrar, that the parties intending marriage, or married, under the provisions of the said Act of Parliament, are in indigent circumstances, it shall and may be lawful for the said Marriage Registrar in his discretion to remit some part, but not more than three-fourths of the said fees respectively, and in each and every such case of remission of fees, the Marriage Registrar shall report the circumstances thereof, and the grounds on which the remission is made, for the information of the Governor General of India in Council.

Salaries of Registrars.

XIX. It shall be lawful for the Government of each Presidency or place to pay any one Marriage Registrar of Calcutta, Madras, and Bombay, or of any other district, where a considerable number of persons likely to avail themselves of this Act are resident, such salary as they shall think fit, not exceeding the sum of Co.'s Rs. fifty per month.

Provisions in case of illness, &c. of Marriage Registrar.

XX. When there is only one Marriage Registrar in a district, and such Registrar is absent from such district, or ill, or in case of the death of the only Marriage Registrar in a district, or of any temporary vacancy in such office, the Magistrate of such district shall act as, and be, Marriage Registrar thereof, during such absence, illness, or temporary vacancy as aforesaid.

Searches may be made, and Certificates given.

XXI. Every Marriage Registrar, or other person who shall have the custody for the time being of the Register of Marriages under this Act, shall, at all reasonable times, allow searches to be made of any Register Book in his custody, and shall give a copy, certified under his hand, of any entry or entries in the same, on the payment of the fees hereinafter mentioned, (that is to say) for every search extending over a period of not more than one year, the sum of one rupee, and four annas additional for every additional year, and the sum of one rupee for every single certificate, and all such fees shall be accounted for and paid over by the Marriage Registrar to the Government Treasury.

Penalty for destroying or falsifying Register Book, &c.

XXII. Every person who shall wilfully destroy or injure, or cause to be destroyed or injured, any such Register Book, or the counterfoil certificates thereof, or any part or certified copy thereof, or shall falsely make or counterfeit, or cause to be falsely made or counterfeited, any part of such Register Book, or of such counterfoil certificates, or of certified copies thereof, or shall wilfully insert, or cause to be inserted, in any Register Book, or counterfoil copy or certified copy thereof, any false entry of any marriage, or shall wilfully give any false certificate, or shall certify any writing to be a copy or extract of any Register Book, or counterfoil copy thereof, knowing the same Register Book, or counterfoil copy, to be false in any part thereof, shall be guilty of felony.

Accidental Errors may be corrected.

XXIII. Any person charged with the duty of registering any marriage, who shall discover any error to have been committed in the form or substance of any such entry, may, within one calendar month next after the discovery of such error, in the presence of the parties married, or in case of their death or absence, in the presence of two other credible witnesses, who shall respectively attest the same, correct the erroneous entry according to the truth of the case, by entry in the margin, without any alteration of the original entry, and shall sign the marginal entry, and add thereunto the day of the month and year when such correction shall be made, and he shall make the like marginal entry, attested in the like manner, in the counterfoil certificate thereof, to be made by him as in the said Act of Parliament mentioned, and in case such counterfoil certificate shall have been already transmitted to the Secretary of Government of the Presidency or place within which he resides, he shall make and transmit in like manner a separate counterfoil certificate of the original erroneous entry, and of the marginal correction therein made.

Certain Registers of Marriage may be kept as heretofore.

XXIV. Nothing in this Act contained shall be construed to extend to the registration of marriages which may be solemnized in India by persons in holy orders, or under the provisions of the Act of the 58th year of King George the Third, Chapter 84, or to the registration of any marriage solemnized between any two persons professing the Jewish religion, and nothing herein contained shall affect the right of any officiating Minister to receive the fees now usually paid for the performance or registration of any marriage.

Petitions to be on unstamped paper.

XXV. All petitions presented in pursuance of Section V. of the said Act of Parliament, may be so presented on unstamped paper.

Commencement of Act.

XXVI. This Act shall commence and take effect from and after the first day of February 1852.

## SCHEDULE (A).

## NOTICE OF MARRIAGE.

*Mr. John Cox*, a Registrar of the District of *Calcutta* in *Bengal*.

I hereby give you notice, that a Marriage is intended to be had, within three calendar months from the date hereof, between me and the other party herein named and described.

Name.	Condition.	Rank or Profession.	Age.	Dwelling Place.	Length of Residence.	Church, Chapel, or place of worship, or building in which the Marriage is to be solemnized.	District in which the other Party resides, when the Parties dwell in different Districts.
<i>James Smith.</i>	<i>Widower.</i>	<i>Carpenter.</i>	<i>Of full Age.</i>	<i>16 Clive Street.</i>	<i>23 Days.</i>	<i>Union Chapel, Dhurruntollah.</i>	
<i>Martha Green</i>	<i>Spinster.</i>		<i>Minor.</i>	<i>20 Hastings Street.</i>	<i>More than a Month.</i>		

Witness my hand, this *sixth* day of *May*, *One thousand Eight hundred and Fifty-two*.

(Signed) *James Smith.*

(The *Italics* in this Schedule to be filled up as the case may be, and the blank division thereof is only to be filled up when one of the parties lives in another district.)

## SCHEDULE (B).

## REGISTRAR'S CERTIFICATE.

I, *John Cox*, a Registrar of the District of *Calcutta* in *Bengal*, do hereby certify, that on the *sixth* day of *May*, notice was duly entered in my Marriage Notice Book of the said district of the Marriage intended between the parties therein named and described, delivered under the hand of *James Smith*, one of the parties, (that is to say,)

Name.	Condition.	Rank or Profession.	Age.	Dwelling Place.	Length of Residence.	Church, Chapel, or place of worship, or building in which the Marriage is to be solemnized.	District in which the other Party dwells, when the Parties dwell in different Districts.
<i>James Smith.</i>	<i>Widower.</i>	<i>Carpenter.</i>	<i>Of full Age.</i>	<i>16 Clive Street.</i>	<i>23 Days.</i>	<i>Union Chapel, Dhurruntollah.</i>	
<i>Martha Green</i>	<i>Spinster.</i>		<i>Minor.</i>	<i>20 Hastings Street.</i>	<i>More than a Month.</i>		

Date of Notice entered, *6th May 1852.* } The issue of this Certificate has not been forbidden  
Date of Certificate given, *20th May 1852.* } by any person authorized to forbid the issue thereof.

Witness my hand, this *twentieth* day of *May*, *One thousand Eight hundred and Fifty-two*.

(Signed) *John Cox*, Registrar.

This Certificate will be void unless the marriage is solemnized on or before the *6th* day of *August 1852*.

(The *Italics* in this Schedule to be filled up as the case may be, and the blank division thereof is only to be filled up when one of the parties lives in another district.)

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

**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.

जिंदे नानु

अहेतुने तारीख १ वी माहे शहरवारी  
शने १८५२ थी तंयांकुनी तथा गांनो न  
गात देवाचुं कांन कशटन यातांतांथी या  
लक्षे \*

निशाणी

हेनरी. छंयंग,  
कशटननो कलेकटर \*

तारीख १४ नी जेनेवारीशी १८५२  
छंयवी मुकांन तुंयाछं नांडवी \*

A. RICHARDSON, Depy. Secy. to Govt.

जाहोर नामा

रेसाजे तंवाखु व गांया याचो अकान घेयाचे काम तारी  
ख १ फेब्रुवारी संन १८५२ दसवो पासून कसमचे खात्यांनून  
चाल्ल.

निशाणी

हेनरी. यंग.

कसमचे कालेकटर.

तारिख १४ माचे जेनेवारी संन १८५२ दस

वी मुकास मुं वई मांडवो.

A. RICHARDSON, Depy. Secy. to Govt.

FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,

the 2nd January 1852.

The following Act is passed by the Hon'ble the President of the Council of India in Council, on the 2nd January 1852, 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. I. of 1852.

An Act for the consolidation and amendment of the Laws relating to the Customs under the Presidency of Bombay.

Whereas it is expedient to consolidate into one Act the laws now in force relating to the Customs under the Presidency of Bombay, and also to amend the rules for the collection and management of the same, It is enacted as follows :

I. The following Regulations and parts of Regulations of the Bombay Code, and the following Acts and parts of Acts of the Government of India, are repealed, that is to say, Sections I. II. and III. Regulation VI. of 1799; Clause II. Section VII. Regulation IX. of 1800; Sections XIV. XVII. XX. XXI. and XXV. Regulation I. of 1805; Section IV. Regulation II. of 1810; Regulation VI. of 1814; Chapters III. V. and VII. Regulation XX. of 1827; Regulation I. of 1833; Act I. of 1838, except in so far as it repeals any Regulation of the Bombay Code, or Act of the Government of India; Act IX. of 1845, so far as it relates to the Bombay Presidency, except so far as it repeals any other Act; Act II. of 1846; and all other Acts and parts of Acts, and all other Regulations and parts of Regulations of the Bombay Code, so far as such Acts or Regulations prescribe the levy within the Bombay Presidency of any customs duties, as well on transit by land

as on import and export by sea, or which relate in any way to such duties, or which require the payment of any fee leviable by Customs Authorities on account of any vessel which may enter any port in the territories subject to the Presidency of Bombay.

II. Nothing hereinbefore contained shall be construed to prevent the levy of any anchorage or harbour dues now leviable at the port of Bombay, or the levy of any special duties on opium, tobacco, gunja, spirits, or salt, which are or may be established by any Law, or the levy of any town duty, or of any Municipal Tax, or of any toll on any bridge, road, canal, or causeway, or for repair and maintainance of light-houses, or the levy of any rent or fee leviable under Act XXV. of 1836, on the warehousing of goods.

III. The Governor of Bombay in Council may appoint one or more persons to be commissioners of customs for the collection and management of the customs throughout the whole of the Presidency of Bombay, with such salary or salaries as the said Governor in Council may deem reasonable; the persons so appointed shall hold their offices during the pleasure of the said Governor in Council, and shall, in all matters relating to the execution of their duties, be subject to the authority, direction, and control of, and obey such orders and instructions as shall from time to time be issued to them by the said Governor in Council.

IV. The Governor of Bombay in Council may appoint such persons as he may deem fit for the control and supervision of the collection and management of the customs in the Bombay Presidency under this Act, as collectors of customs, or under such other designation as the said Governor in Council shall determine; the persons so appointed shall be subject to the authority and control of the commissioner or commissioners (if any such officer shall have been appointed), in such manner and to such extent as the said Governor in Council from time to time may direct.

V. The Governor of Bombay in Council may appoint all other proper persons to execute the duties of the several subordinate officers necessary to the due management and collection of the customs, and may require from such persons such securities for their good conduct therein as the said Governor in Council may deem necessary, and may from time to time transfer any part of the duties and powers of any officer of customs under this Act to any other officer, in such cases, and under such restrictions as the said Governor in Council may deem fit; and every officer of customs appointed or employed on any duty relating to the said customs shall hold his office during the pleasure of the Governor of Bombay in Council: all persons holding any office or employment in the said customs, at the time of the passing of this Act, shall continue to be so employed therein under this Act until duly removed therefrom.

VI. The Governor of Bombay in Council may delegate the whole or any portion of the powers with which he is invested by the preceding section to any commissioner or collector, or other officer of customs regularly appointed under the provisions of this Act, and all subordinate officers of customs, who may be appointed by such commissioner or collector, or other officer of customs, by virtue of such delegated power, shall be liable to be dismissed, suspended, or fined, to an extent not exceeding two months' pay, by the authority by which they were respectively appointed, subject to the control of Government, or of superior authority in the customs department.

VII. Whoever intentionally obstructs any officer, in the exercise of any powers given by this Act to such officer, shall be liable to imprisonment for any term not exceeding six months, or a fine not exceeding one thousand rupees, or both.

VIII. Any person who shall offer a bribe to any custom house 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 one thousand rupees, or to imprisonment for any term not exceeding six months, or both.

IX. No action shall lie in the Supreme Court for any act or thing done under this Act; but every action for any wrong or trespass, if committed within the local limits of the Island of Bombay, shall be tried and determined before the Revenue Judge of Bombay, and if committed in any part of the Presidency of Bombay without those limits, then before the proper Zillah Judge within whose jurisdiction the same shall have been committed; and such Revenue Judge of Bombay, or Zillah Judge respectively, shall award such damages to the party aggrieved for the injury done as shall be just and equitable. Provided, that if it shall appear that there was reasonable and probable cause for the act complained of, the plaintiff shall not be entitled, beyond the restoration of any article unlawfully seized, or the value thereof, to more than two annas damages without costs.

X. Whoever, being an officer appointed under the authority of this Act, shall be guilty of a wilful breach of the rules prescribed in this Act, or any other rules that shall be passed by the Governor of Bombay in Council under the authority of it, or shall accept, or obtain, or attempt to obtain from any person any property, gratuity, or benefit as a consideration for doing or forbearing to do any official act, shall be liable to imprisonment for any term not exceeding two years, or to fine, or both.

XI. Whoever, being an officer appointed under the authority of this Act, practices or attempts to practice any fraud for the purpose of injuring the customs revenue, or abets or connives at any such fraud, or at any attempt to practice any such fraud, shall be liable to imprisonment for any term not exceeding two years, or to fine, or both.

XII. In all cases in which under this Act goods are liable to confiscation, and in all cases, in which under this Act any person in charge of, or owning a vessel, or landing or shipping goods, or passing them through the custom house, is liable to a penalty, a commissioner or collector of customs may adjudicate such confiscation or such penalty; or the same may be adjudged by a deputy, or by an assistant collector of customs, being a justice of the peace: provided that the power to adjudicate confiscation shall not extend as regards a deputy collector to goods beyond the value of rupees one thousand, nor as regards an assistant collector to goods beyond the value of rupees one hundred, nor shall any deputy collector impose any fine beyond the amount of rupees fifty, nor any assistant collector beyond the amount of rupees ten; and all cases adjudicated by a deputy or assistant collector shall be liable to revision by a collector of customs on appeal.

XIII. In case any goods, ship, vessel, boat, cart, vehicle, or other article shall be seized and forfeited, or detained as under-valued under this Act, the adjudicating officer may order the same to be restored in such manner, and on such terms and conditions as he thinks fit to direct; and if the proprietor of the same accepts such terms and conditions, he shall not have or maintain any action for recompense or damage on account of such seizure or detention, and the adjudicating officer shall not proceed to condemnation.

XIV. Any collector of customs, or other officer who is authorized to adjudicate customs cases, if he shall decide that a seizure of goods made under the authority of this Act was vexatious and unnecessary, may adjudge damages to be paid to the proprietor by the customs officer who made such a vexatious seizure, beside ordering the immediate release of the goods; and if the proprietor accepts such damages, no action shall thereafter lie against the officer of customs, in any court of justice, on account of such seizure; and if such adjudicating officer shall decide that the seizure was warranted, but shall deem that the penalty of confiscation is unduly severe, he may mitigate the same by levying on the goods so seized as aforesaid any portion of the market value of such goods not less than one-tenth of such value; and if the said officer adjudges confiscation or any penalty in mitigation of confiscation, he may order that

from the sale of the goods, or from the proceeds of any penalty inflicted in mitigation of confiscation, a proportion, not exceeding, in all cases of seizure, except seizures of salt or tobacco, one-half of the sum remaining after payment of all Government demands, shall be distributed in rewards amongst such officers as he deems entitled thereto, and in such proportion as he directs to each respectively; but in awarding rewards for the seizure of confiscated salt or tobacco, he may award one-half of the proceeds of the sale, without making any deduction on account of Government demands.

XV. All penalties under this Act, except those specified in any judicial award of the collector, or other adjudicating officer, as provided for in Section XIII. of this Act, shall be adjudged and determined by the officiating magistrate of the place where the offence shall have been committed; and any collector, being a justice of the peace, or deputy or assistant collector, authorized in such behalf by his superior, and being a justice of the peace, may take informations and depositions on oath or solemn affirmation or declaration, touching any matters involving a breach of any of the provisions of this Act, and if taken in the presence of the party or parties charged with such breach, the same shall be received in evidence by such magistrate in the like manner and to the same extent as if taken before him, and shall be deemed sufficient for him to adjudicate thereon; but nothing herein contained shall prevent such magistrate from taking any information or deposition afresh, or from taking other and further depositions in the matter, if he think fit.

XVI. If any person in charge of, or owning a vessel, shall have become liable to any fine on account of any act or omission relating to the customs, the collector of customs, subject to the orders of the Governor of Bombay in Council, may refuse port clearance to such vessel until the fine is discharged; and in like manner if any person passing goods through the custom house shall have become liable to any fine, the collector of customs may detain such goods until the fine is discharged.

XVII. No person shall act as an agent for transacting business in the custom house in the port of Bombay, which shall relate to the entrance or clearance of any ship, goods, or baggage, unless authorized so to do by licence of the collector of customs, who may require a bond to be given by every person to whom such licence shall be granted, with sufficient securities, in any sum not exceeding five thousand rupees, for the faithful and incorrupt behaviour of such person as regards the custom house regulations and its officers; and every person who shall act as such agent, not being so licensed, shall, for every such offence, be liable to a fine not exceeding the sum of five hundred rupees. Provided always, that nothing herein contained shall extend to forbid the clerk or servant, or known accredited agent of any person, or of any mercantile firm, from transacting business at the custom house on account of such person or firm, without licence.

XVIII. Duties of customs shall be levied on goods imported by sea from any port not subject to the Government of the East India Company, or from Aden, or any port in the Straits of Malacca, the Tenasserim Provinces, or the Province of Arracan, into any place in the territories subordinate to the Government of the Presidency of Bombay, according to the rates specified in Schedule A annexed to this Act, and with the exceptions specified therein; and the said Schedule shall be taken to be a part of this Act.

XIX. Duties of customs shall be levied upon goods the produce or manufacture of India, exported by sea to any port situated beyond the territories subject to the Government of the East India Company, or to Aden, or to any port in the Straits of Malacca, the Tenasserim Provinces, or the Province of Arracan, from any port of the Bombay Presidency, according to the rates specified in Schedule B annexed to this Act, with the exceptions therein specified; and the said Schedule, with

the notes attached thereto, shall be taken to be a part of this Act. Provided always, that the ships of any European nation, having Firman privileges in the port of Surat, shall not be subject to further duties of import or export than may be prescribed by their Firmans respectively, anything in the Schedules or in this Act notwithstanding.

XX. Spirits exported from any port subject to the Government of the East India Company, and imported at any other port subordinate to the Government of Bombay, shall be liable on importation to the same rate of duty as may be fixed on spirit of country manufacture by Schedule A annexed to this Act, or by any future enactment. Provided always, that if the said spirit be accompanied by a document signed by competent authority, certifying that a duty, whether of customs or otherwise, has been paid on the said spirit to the East India Company, credit shall be allowed for the sum so paid in settling the customs at the port of import; and if such sum equal or exceed the full amount of customs leviable on spirits of country manufacture under Schedule A aforesaid, or any future enactment, then the spirit on which such duty has been paid shall be admitted to free entry.

XXI. The Governor in Council may direct that an anchorage toll shall be levied at any port or ports within the Bombay Presidency on all vessels arriving from any other port or ports which may be specified by the said Governor in Council, and such anchorage toll shall be levied at such port or ports on every such vessel on each arrival of such vessel at the rates specified in Schedule C, annexed to this Act: and the said Schedule shall be taken to be part of this Act.

XXII. No goods entered in either of the Schedules of this Act, as liable to duty, shall be exempted from the payment of such duty, or of any part thereof, except under special order from the Governor of Bombay in Council, and the collector of customs shall detain all goods subject to duty under this Act until such duty shall have been duly paid according to the rules herein provided; Provided always, that the collector of customs, or other officer in charge of a custom house, may at his discretion pass free of duty any passenger's personal baggage in actual use, and if any person shall apply to have goods passed as such baggage, the collector, acting under the orders of Government, shall determine whether they be passenger's personal baggage in actual use, or goods subject to duty under the provisions of this Act.

XXIII. On application by the exporter of any salt that has paid the excise duty, as established by law, a certificate shall be granted by the collector of customs at the place of export, under authority of which certificate the quantity of salt specified therein may be landed at any other port of the said Presidency of Bombay, and passed from such port into the interior of the country without the levy of any further duty either of excise or of customs.

XXIV. The Governor of Bombay in Council, from time to time, by notice in the official Gazette of that Presidency, may fix a value for any article or number of articles, liable to duty upon their value, and the value so fixed for such articles shall, till altered by a similar notice, be taken to be the value of such articles for the purpose of levying duty on the same.

XXV. When goods liable to duty for which a value has been fixed by such notice, or for which a fixed duty has been declared by the Schedules annexed to this Act, are brought to any custom house in the Bombay Presidency in a damaged state, and such damage is declared previous to the assessment of customs of such goods, the collector of customs may make an abatement of customs in proportion to the damage received; and, in estimating such damage, he shall be guided by such rules as the Governor of Bombay in Council may from time to time determine and notify; but if the value of the goods be not deteriorated more than one-fifth part thereof, no abatement of customs shall be allowed.

XXVI. When goods liable to duty, for which a value has not been fixed by such a notice as is above directed, or for which a fixed duty has not been declared by the Schedules annexed to this Act, are brought to any custom house in the Presidency of Bombay for the purpose of being passed for importation or exportation, the duty leviable on such goods shall be levied according to the market value of such goods at the place and time of importation or exportation, as the case may be.

XXVII. No goods shall be allowed to be passed through the custom house until a written application, according to a form, to be prescribed by the collector of customs, shall have been made by the owner, consignee, exporter, importer, or the agent for any of such persons respectively, for permission to pass such goods through the custom house; and such application shall contain a true description of such goods, with the marks, numbers, and description of the packages containing the same, and a declaration of their value, and shall set forth the name of the ship in which the goods have been imported, or are to be exported, the name of the master of the said ship, the colors under which the said ship sails, and the country in which the goods were produced. If any goods shall be passed through the custom house, or attempted to be removed therefrom without such an application in writing as is above described, they shall be liable to be seized and confiscated.

XXVIII. The market value for assessment of duties on the goods indicated in Section XXVI. shall be that declared in the application to be made as aforesaid. Provided always, that the value so declared be admitted by the collector, or by the officer appointed to appraise goods at the custom house; but if the value of the whole or any part of the goods entered in the declaration aforesaid shall seem to the collector to be understated in such declaration, he shall have power to take the goods, or any part thereof, as purchased for the Government at the price so declared; and whenever the collector of customs shall so take goods for the Government, payment thereof shall be made to the consignee, importer, or exporter, within one month from the date of the declaration; if the goods be imported goods, the amount of import duty leviable thereon shall be first deducted, and if the goods be intended for exportation, the entire value as declared shall be paid without deduction on account of customs duty; and the collector shall sell the goods so taken on account of Government; and, if they shall realize on sale a sum exceeding all charges incurred on them by Government, a proportion not more than one-half of the excess shall, at the discretion of the collector, be payable to the officer who reported the under valuation of the goods, who shall in like manner be liable to pay one-half of the net loss that may accrue on the sale of the said goods.

XXIX. And whereas under Section XXIV. of this Act, it may be found expedient to fix the dutiable value of certain goods at the rates shown by their invoice, when it shall appear to the officer of customs appointed to appraise goods at the custom house that any goods are under-valued in an invoice presented for the purpose of assessing customs, he shall report the same to the collector of customs, who shall call upon the importer or exporter to declare the market value of the goods in question, and if the value so declared shall appear to the Collector insufficient, he may take such goods for Government at the value so declared, and dispose of them as empowered by Section XXVIII. of this Act.

XXX. Upon any goods liable to duty that may be passed through the custom house for shipment, the application for which shall be presented after port clearance shall have been taken out, double of the prescribed duty shall, in all cases, be levied, and if the goods (always excepting treasure and opium) be free, or have already paid import duty, or have been imported free under certificate, five per cent. upon the market value shall be levied thereon, or if the same be imported goods entitled to drawback, the drawback shall be forfeited, but no separate duty shall be levied on drawback goods.



XXXI. When a vessel, having cleared out for any port, shall put back from stress of weather, or it shall from any damage, or from other cause, be necessary that the cargo of a vessel that has cleared out shall be unshipped or relanded, a customs officer shall be sent to watch the vessel, and take charge of the cargo during such relanding or removal from on board; and the goods on board such vessel shall not be allowed to be transhipped or re-exported free of duty by reason of the previous settlement of duty at the time of first export, unless the goods shall be lodged in such place as shall be allowed by the collector of customs, and shall remain while on land or while on board of any other vessel under special charge of the officers of customs until the time of re-export, and all charges attending such custody shall be borne by the exporter. Provided, however, that in all cases of return to port after port clearance on account of damage or for stress of weather, the owner or master may enter the vessel and land the cargo under the rules for the importation of goods, and the export duty shall in that case be refunded, and the amount paid in drawback be reclaimed; and if goods on account of which drawback has been paid, be not found on board the vessel, the Master shall be liable to a fine not exceeding the entire value thereof, unless he accounts for them to the satisfaction of the collector of customs.

XXXII. When goods shall be relanded before the lading of any vessel is complete, and before port clearance has been granted, the duty levied upon such goods shall be returned to the exporter, but no refund shall be made of duty paid on the export of any goods after port clearance shall have been granted for the vessel on which the goods are exported, unless the vessel shall have put back for stress of weather or for damage, and the goods shall have been relanded under the rule contained in Section XXXI.

XXXIII. Goods exported in the same vessel on which they were imported, if manifested for re-export, shall not be subject to import or export duty; and, if any goods brought to any port in any vessel be transhipped in such port, they shall in all cases be subject to the same duty as if they had been landed and passed through the custom house for re-exportation in the vessel into which they may be transhipped.

XXXIV. No duty of customs which shall have been charged and paid, and of which repayment is claimed in consequence of the same having been charged or paid under an erroneous construction of law, or from other error, shall be returned, unless such claim is made within two years from the date of such payment.

XXXV. With the sanction of the Governor of Bombay in Council, seven-eighths of the customs levied on imports may be repaid as drawback upon the re-export by sea of goods which can be identified to the satisfaction of the collector of customs as having previously paid customs duties on import at the same port; provided that such re-export be made within two years of the date of import by the custom house register, and the drawback be claimed at the time of re-export; but no drawback shall be claimable under this Act on any re-export of opium or salt, or of goods destined for any port in the territories subject to the Government of the East India Company, except Aden, and ports in the Straits of Malacca, the Tenasserim Provinces, and the Province of Arracan.

XXXVI. Every person who shall counterfeit or falsify, or wilfully use when counterfeited or falsified any invoice, entry, cocket, or other document for the purpose of clearing, or having customs duties assessed on any goods, shall be liable to a fine not exceeding one thousand rupees.

XXXVII. If any certificate, manifest, bill, or other custom house documents be lost by any person to whom they may have been issued by the custom house authorities, the collector of customs, on being satisfied that on fraud has been committed, or was intended, may grant a duplicate of such lost document, upon payment

of a fee of not less than one rupee, nor exceeding ten rupees; and further, the collector may authorize any amendment to be made in any import or export application; but, if such amendment be required after such application is entered and recorded in the custom house books, then upon payment of a like fee for any document so entered.

XXXVIII. The master of every vessel on arrival at the port of Bombay shall, on being required by any custom officer who may proceed on board, enter in a printed form with which such officer will be furnished, the information therein required, which shall include the vessel's name, and the country to which she belongs, the name of the captain or sailing master, the port from whence she began her voyage, and the date of departure therefrom, also the names of any ports at which she touched during her voyage, and of any vessels she may have spoken, and a list of her passengers; and any master of any vessel who shall refuse to enter such information, or delay to do so for more than two hours after delivery to him of the printed form aforesaid, or wilfully make any false statement in filling up the same, shall be liable to a fine not exceeding five hundred rupees.

XXXIX. On the arrival of any ship, boat, or other vessel at the port of Bombay, the master or commander thereof shall, within twelve hours after he shall have anchored, report to the collector of customs the quantity of gunpowder which he has on board, and all such gunpowder in excess of five seers, unless a greater quantity shall be authorized by Government to be retained on board any vessel, shall be delivered by him in charge of such person as shall be named in an order to be furnished to him for such purpose by a proper officer of Government, and on his failure to make such report, or deliver such excess, he shall be liable to a fine not exceeding five hundred rupees.

XI. When any vessel shall arrive in any port of the Presidency of Bombay, the master shall deliver a certificate of registry of such vessel if registered as a British vessel under Act of Parliament, or if registered under Acts of the Government of India No. X. of 1841, or No. XI. of 1850 a certificate of registry as required by such Acts, or if not registered under either of the said Acts then the pass or sea letter under which the vessel may have sailed, to the first person duly empowered to receive such certificate of registry or pass, who comes on board; and if no such person comes on board before the anchor is dropped, then such certificate or pass shall be forwarded to the collector of customs or other principal officer of customs on the spot by the first boat that leaves the vessel after dropping anchor; and, if the port be up a river, or at a distance from the land first made, no inward bound vessel, except such country craft as are described in Section LIX. of this Act, shall pass beyond such place in such river or adjoining such port as shall be from time to time appointed by the Governor of Bombay in Council, by an order published in the Government Gazette of the Presidency, until the master shall have forwarded in such manner as may be so ordered by the said Governor, a certificate of registry or pass, and the master of such vessel arriving as aforesaid shall deliver in duplicate, at the same time and in like manner as he is hereinbefore directed to deliver a certificate of the registry of the vessel, a true manifest of the cargo on board; and if there be no cargo, then a blank manifest made out according to such form as may be prescribed by the collector of customs; and the wilful breach or neglect of any of the provisions of this Section shall subject the master to a fine not exceeding one thousand rupees.

XLI. If the manifest so delivered by the master shall not contain a full and true specification of all the goods imported in the vessel, the said master shall be liable to a fine not exceeding rupees one thousand, and any goods or packages in excess of the manifest so delivered, or differing in quality or kind, or in marks and numbers, from the specification contained therein, that are found on board, or are found after being frau-

dulently removed from the vessel, shall be liable to be seized by any officer of customs and confiscated, or to be charged with such increased duties, not exceeding the value of such goods or packages, as may be determined by the collector of customs.

XLII. If any inward bound vessel shall remain outside or below the place that may be fixed by the Governor in Council for the first delivery of manifests, the master shall deliver a manifest, as hereinbefore prescribed, to the first person duly empowered to receive such manifest who comes on board, and the master of any vessel entering a port for which there is a custom house established, and being at anchor therein for twenty-four hours, who shall refuse or neglect to deliver the said manifest within that time in the manner above prescribed, shall, for such refusal or neglect, be liable to a fine not exceeding rupees one thousand; and no entry or port clearance shall be given for such vessel until the fine is paid.

XLIII. No vessel shall be entitled to inward entry, or be allowed to break bulk until a manifest in duplicate, as required by this Act, shall have been received by the collector of customs, nor until orders have been given by the said collector for the discharge of the cargo; and the said collector may further refuse to give such order, if he shall see fit, until any port clearance, cocket, or other papers known to be granted at the places from which the vessel is stated to have come, shall likewise be delivered to him.

XLIV. No vessel shall be entitled to entry outwards, or to take on board any part of her export cargo, until a written application for such purpose shall have been made by the master of such vessel to the collector of customs, nor until an order shall have been given by the said collector for shipping export cargo, and in the written application to be made as aforesaid, the name, tonnage, and nation of the vessel shall be described, as also the name of the master, and the name or names of the place or places for which she is bound.

XLV. If in the application prescribed by the preceding Section of this Act, a vessel be described to be bound to any port or ports within the territories of the East India Company, then the collector of customs, or, in his absence, his deputy or assistant, may refuse a port clearance to such vessel until the master or commander thereof shall have given a joint bond together with the owner or the consignee of the said vessel, or some other party approved by the collector of customs, or in his absence by his deputy or assistant, by which such parties or one of them shall be bound to produce to the collector of customs a certificate from the officer in charge of the port to which such vessel is said to be bound, of her arrival at such port, within a fair and reasonable time, to be prescribed by the collector in each case, and in failure of producing such certificate, or showing sufficient reason for its non-production, the parties to the bond aforesaid shall be jointly and severally bound to pay a penal sum equal to double the amount of customs which would have been chargeable on the export cargo of the said vessel had she been declared bound to a port beyond the territories of the East India Company.

XLVI. No goods shall be allowed to leave any vessel, or to be put on board thereof, until entry of the vessel shall have been duly made in the custom house of the port, and until orders shall have been given for discharge or shipment of the cargo thereof as above provided, and it shall be the duty of every customs officer to seize as contraband any goods which have been removed from or put on board of any vessel in contravention of the above provision; and the master of any vessel who shall permit or neglect to take measures for preventing the landing or shipping of any goods in contravention of the above provisions, shall be liable to a fine not exceeding five hundred rupees.

XLVII. After entry of the vessel at the custom house in due form as above prescribed, such part of the cargo as may not be declared for re-exportation in the

same vessel shall be landed, and export cargo shall be laden on board according to the forms and rules that may be prescribed for the port by this Act, or by order of the Governor of Bombay in Council; and if an attempt be made to land or put on board goods or merchandise in contravention of the forms and rules so prescribed, the goods shall be liable to seizure and confiscation.

XLVIII. If goods entered in the manifest of a vessel shall not be found on board that vessel, or if the quantity found be short, and the deficiency be not duly accounted for, or if goods sent out of the vessel be not landed at the custom house, or at such other place as the collector of customs shall have prescribed, the master shall be liable to a penalty not exceeding five hundred rupees for every missing or deficient package of unknown value, and to a penalty equal to twice the amount of duty chargeable on the goods deficient and unaccounted for, if the duty can be ascertained, and if they be not subject to duty, then to a penalty equal to five per cent. on the value of such deficient goods. Provided always, that nothing herein contained shall be construed to prevent the collector of customs from permitting, at his discretion, the master of any vessel to amend obvious and unintentional errors, or to supply omissions from accident or inadvertence, by furnishing an amended or supplemental manifest.

XLIX. Every master of a vessel who shall remove from such vessel or put on board thereof any goods, or cause or suffer any goods to be removed from thence, or put on board thereof between sunset and sunrise, or on any day when the custom house is closed for business, without leave in writing obtained from the collector of customs, shall be liable to a fine not exceeding five hundred rupees.

L. When goods shall be sent from on board of any vessel for the purpose of being landed and passed for importation, there shall be sent with each boat-load, or other separate despatch, a boat note specifying the number of packages, and the marks and numbers, or other description thereof, and such boat note shall be signed by an officer of the vessel; and if the vessel have a customs officer on board, the boat note must be signed by such officer, as well as by an officer of the vessel; and, if any imported goods be found in a boat proceeding to land from such a vessel without a boat note as above provided, or if being accompanied by such boat note they be found out of the proper track between the ship and the proper place of landing, the boat containing such goods may be detained by any officer of customs duly authorized by the collector; and, unless the cause of deviation be explained to the satisfaction of the collector of customs, the goods shall be liable to seizure and confiscation.

LI. Except in special cases sanctioned by the collector of customs, twenty days, exclusive of Sundays and holidays, shall be allowed for the discharge of the import cargo of vessels not exceeding six hundred tons' burthen, and thirty days for vessels exceeding that burthen; and the said periods shall be calculated from the date on which the vessel was admitted to entry inward; and if any goods remain on board after the periods above fixed, the collector may order the same to be landed and warehoused, for the security of the duties chargeable thereon, and of any freight and primage and other demands that may be due thereon, giving his receipt to the master for the goods so warehoused; but the collector or other officer in charge of the custom house, with the consent of the master of the vessel, may cause any packages to be brought on shore and to be deposited in the Government warehouses, although the periods above fixed have not expired.

LII. No vessel shall depart from any port of the Presidency of Bombay without a port clearance being granted by the collector of customs or other proper officer duly authorized by the Governor of Bombay in Council to grant the same, and application shall be made for such port clearance at least twenty-four hours be-

fore the intended departure of the vessel ; and no such port clearance shall be granted to any square-rigged vessel sailing from the port of Bombay until the following documents shall have been produced to the collector of customs or other officer :

1st. The certificate of registry of the vessel if registered a British vessel under Act of Parliament, or if registered under the Acts of the Government of India No. X. of 1841, or XI. of 1850, a certificate of registry as required by such Acts, or if not registered under either of the aforesaid Acts, then the pass or sea letter under which, the vessel shall be sailing.

2nd. A certificate from the senior magistrate of Poole that there is no objection in his department to a port clearance being granted to the vessel.

3rd. A like certificate from the Indian naval store-keeper of all demands as regards his office on the vessel having been satisfied.

4th. A like certificate from the marine paymaster.

5th. A like certificate from the registrar of shipping.

6th. A list of the crew and (if any) of the passengers ; but if none, then a declaration of the master to such effect.

Provided always, that it shall be lawful for the Governor of Bombay in Council, in any cases of necessity or special emergency, to authorize the granting of such port clearance without the production of any one or more of the documents herein before enumerated, and on such terms and conditions as he may think fit.

LIII. The master of every vessel leaving any port in the Bombay Presidency shall, at the time of applying as above prescribed for a port clearance, deliver to the collector of customs or other principal customs officer of such port, in duplicate, a true manifest of the cargo on board, and if there be no cargo, then a blank manifest made out according to such form as may be prescribed by the collector of customs ; and if such manifest so delivered shall not contain a full and true specification of all goods to be exported in the vessel, the said master shall be liable to a fine not exceeding one thousand rupees ; and any goods or packages found on board in excess of the manifest so delivered, or differing in quantity, or in kind, or in marks, or in numbers, from the specification contained therein, shall be liable to be seized by any customs officer and confiscated, or charged with such increased duties not exceeding the value of such goods or packages as may be determined by the collector of customs.

LIV. If any goods shall be taken on board of any vessel after port clearance, it shall be incumbent on the master of such vessel to amend the export manifest of such vessel in presence of the collector of customs, unless a special permission be granted by that officer ; and the master of any vessel who may contravene the provisions of this Section shall be liable to a fine not exceeding one thousand rupees.

LV. If any vessel shall depart, or attempt to depart, without a port clearance, as directed by this Act, the master shall be liable to a penalty not exceeding one thousand rupees, which may be recovered from the master, or any owner of the vessel.

LVI. No transhipment shall be made of any goods except under special order in writing from the collector of customs of the port ; and an officer of customs shall in all cases be deputed to superintend the removal of the goods from vessel to vessel ; and, if any goods are transhipped, or any attempt be made to tranship any goods without a special order as aforesaid, such goods shall be liable to confiscation.

LVII. The Governor of Bombay in Council may declare, by public notice in the Official Gazette of that Presidency, what places within the same shall be ports for the landing and shipment of merchandise, and any goods landed, or attempted to be landed, at any other port than such as shall be so declared shall be seized and confiscated.

LVIII. There shall be in every port of the Bombay

Presidency one or more places for the landing and shipment of goods, and goods shall not be landed or embarked at any other place without the special order in writing of the collector of customs for the port ; and, if any goods be landed or embarked, or an attempt be made to land or embark any goods at any other than the said authorized places, without such order, they shall be seized and confiscated.

LIX. The Governor of Bombay in Council may establish rules for the anchorage of the coasting and country craft of the British territories, for the delivery of manifests of the cargo of such vessels, and for the landing of goods therefrom, and shipping and transshipping of goods therein ; and whoever, being in charge of any such craft, or being owner of the vessel or of any part of her cargo, shall knowingly contravene any such rule, shall be liable to a fine not exceeding one hundred rupees for each offence.

LX. Goods which shall be brought to be passed through the custom house, either for importation or exportation by sea, shall be liable to confiscation if the packages in which the same may be contained shall be found not to correspond with the description of them given in the application for passing them through the custom house, or if the contents thereof be found not to have been correctly described in regard to sort, quality, or quantity, or if in or among the packages any goods not stated in the application be found concealed in or mixed-up with the specified goods.

LXI. Any exported goods which shall be found in the harbour, or any imported goods which shall be found on the wharf, of any port under the Bombay Presidency, shall be liable to confiscation, unless the owner, consignee, or other parties interested in the said goods, shall prove in the case of exported goods that they have been duly passed through the custom house, or, in the case of imported goods, that they have been landed according to the rules prescribed by this Act, preparatory to their being so passed.

LXII. The Governor of Bombay in Council, by an order in Council, may fix, and from time to time alter rates of rent to be charged on goods placed in the Government warehouses, or which may be, beyond such period as may be determined by the Governor in Council, lying on the custom house wharf, or other authorized landing places.

LXIII. The unshipping, carrying, shipping, and landing of all goods, and the bringing of the same to the proper place for examination or for weighing, and the putting the same into and out of the scales, shall be performed by or at the expense of the importer or exporter of such goods.

LXIV. The collector of customs, whenever he shall see fit, may require that goods brought by sea, and stowed in bulk, shall be weighed or measured on board ship before being sent to land, and may levy duty according to the result of such weighing or measurement.

LXV. The Governor of Bombay in Council, from time to time, may issue such rules as appear to him expedient for landing or shipping passengers' baggage, and passing the same through the custom house, and also for landing, shipping, and clearing parcels forwarded by Her Majesty's or the East India Company's mails, or by other regular packets and passenger vessels ; and when any baggage or parcels are made over to the custom house officer, for the purpose of being landed, a fee of such amount as the Governor of Bombay in Council may from time to time direct shall be chargeable thereon, as compensation for the expense and trouble incurred in landing and depositing the same in the custom house.

LXVI. If any person, after goods have been landed, and before they have been passed through the custom house, removes or attempts to remove them with the intention of defrauding the revenue, the goods shall be liable to confiscation, unless it shall be proved, to the satisfaction of the collector of customs, that the removal was not sanctioned by the owner, or

by any person having an interest in or power over the goods; on such proof, the goods shall not be liable to confiscation, but the party or parties so removing or attempting to remove the goods, shall be liable to a fine not exceeding the value of the said goods.

LXVII. In case of any goods landed from any vessel not being claimed and cleared from the custom house within three months from the date of entry of the ship in which such goods were imported, the collector, after publication of a description of the same in the Government Gazette, may sell the same on account of the duties and other charges due thereon; and the balance remaining after deducting the said duties and charges shall be held in deposit and paid to the owner on application; provided that such application be made within two years of the sale of the goods, or good reason be shown why such application has not been so made.

LXVIII. If the Governor of Bombay in Council shall see fit, for the security of customs at any port, to maintain special establishments of boats for landing and shipping merchandise, or to licence and register the cargo boats plying in any ports, then, after due notification thereof, no person shall convey goods to or from any vessel in such port, otherwise than in the boats so authorized and prescribed, except under special permit from the collector of customs at the port: and any goods found on board of other boats than those so authorized for the port, shall be liable to be seized by any officer of customs, and shall be liable to confiscation; and the tinal or owner of any such boat shall be liable to a fine not exceeding fifty rupees for each offence.

LXIX. When the Governor of Bombay in Council shall see fit to maintain at any port an establishment of officers to be sent on board of vessels to watch their unloading and lading, then, after due notification shall have been given that such establishment is so maintained at any port, the collector of customs at that port shall have power at his discretion to send one or more officers of such establishment to remain on board of any vessel in such port by night and by day, until the vessel shall leave the port, or it shall be otherwise ordered by the collector.

LXX. Any master of such vessel at such port, who shall refuse to receive an officer so deputed with one servant on board, or who shall not afford such officer and servant suitable shelter and accommodation while on board, and likewise furnish them with a due allowance of fresh water, if necessary, and with the means of cooking on board, shall be liable to a fine not exceeding one hundred rupees for each day during which such officer and servant continue on board, and shall not be received and provided with suitable shelter and accommodation.

LXXI. If application be made to the collector for an extension of the period allowed in Section LI. of this Act, for the discharge of the import cargo of any vessel on board of which a custom house officer shall have been placed, and the collector may see fit to grant any such extension, the master of such vessel shall be charged with the wages of such officer, and other expenses, for such period as such officer may be detained on board beyond the period fixed by Section LI. of this Act.

LXXII. If any officer shall be placed on board for the purpose of superintending the lading of any vessel, and the unloading and lading of such vessel be continuous, then a period of twenty days shall be allowed for taking in export cargo; and the said period shall be calculated from the termination of the period allowed for discharging cargo by Section LI. of this Act; and the master thereof shall be charged for the wages and expenses of the customs officer on board after the expiration of such additional period. But, if the unloading and lading of any vessel be not continuous, and a customs officer is appointed to superintend the lading

thereof, then the period of thirty days shall be allowed from the date of entry of the vessel outwards, and the master of the vessel shall be charged for the wages and expenses of the customs officer on board after the expiration of that period.

LXXIII. When the unloading and lading of any vessel is not continuous, the customs officer shall be removed from on board such vessel so soon as the import cargo has been fully discharged, and shall be replaced on board such vessel on the entry outwards of such vessel; and the master of any such vessel who, before a customs officer has again been placed in such vessel, shall put on board or cause or suffer to be put on board of such vessel, any goods whatever, shall be punished with a fine not exceeding one thousand rupees, and the goods shall be liable to be re-landed for examination at the expense of the shippers, upon requisition to that effect from the collector of customs.

LXXIV. Whenever a collector of customs shall see cause to direct that any vessel shall be searched, he shall issue his warrant or written order for such search, addressed to any officer under his authority; and upon production of such order, the officer bearing it may require any cabins, lockers, or bulk heads, to be opened in his presence, and if they be not opened upon his requisition, may break the same open; and any goods found concealed, and not duly accounted for to the satisfaction of the collector of customs, shall be liable to seizure and confiscation; and any master or person in charge of a vessel who shall resist such officer, or refuse to allow the vessel to be searched, when so ordered by the collector of customs, shall be liable, for every such offence, to a fine not exceeding one thousand rupees.

LXXV. If any officer of customs shall see cause to search any person on board, or who shall have landed from any vessel, or any person passing or having passed through the custom house or any custom station, such person, before being searched, may require such officer to take him before the collector or a justice of the peace, who shall determine whether there is reasonable ground to suppose that such person has any uncustomed or prohibited goods on his person; and if such collector or justice shall think there is reasonable ground for such supposition, then he shall direct such person to be searched in such manner as he shall think fit, otherwise he shall forthwith discharge such person; but no female shall be searched otherwise than privately, or by any other person than a female, duly authorized by such collector or justice; and any officer who shall not take such person with reasonable despatch before such collector or justice when so required, or who shall require any person to be searched without having reasonable ground to suppose that he has uncustomed or prohibited goods on his person, or who shall cause any female to be unlawfully searched, shall be liable to forfeit and pay a sum not exceeding one hundred rupees; and if any person suspected of having any uncustomed or prohibited goods on his person, or in his possession, shall, on being questioned by any officer of customs in regard thereto, deny the same, and any such goods shall after such denial be found on his person, or in his possession, such goods shall be seized and confiscated, and such person shall forfeit double the value of such goods, in addition to the goods confiscated.

LXXVI. Any officer of customs, acting under the warrant of any commissioner or collector of customs, may take a constable and a sufficient number of peons, (who shall, on the requisition of the collector for such purpose, be furnished, by the superintendent of police in Bombay, or the proper police authority in any zillah,) and between sunrise and sunset may enter into and search any house, shop, cellar, warehouse, room, or other place, and in case of resistance may break open doors, chests, trunks, and other packages, and may seize and bring thence any uncus-

tomed or prohibited goods, and put and secure the same in the custom house warehouse, in the port next to the place whence such goods shall be so taken as aforesaid; and such goods shall be liable to confiscation; provided always, that no commissioner or collector of customs shall issue any such search-warrant except upon information on oath or solemn declaration formally laid before him.

LXXVII. No cargo boat laden with goods intended for exportation by sea shall make fast to, or lie alongside of any vessel, on board of which there shall be a customs officer stationed, unless there shall be on board the boat, or have been received by the said customs officer, a custom house permit or order for the shipment of the goods, and the goods on board of any boat that may so be alongside, or be made fast to a vessel, and not covered by a custom house pass accompanying them, or previously received by the customs officer on board the said vessel, shall be liable to seizure and confiscation.

LXXVIII. All fines, for the recovery of which no special provision is hereinbefore made, may be recovered, on conviction of the offender, before a magistrate or other person competent to adjudicate on the offences, and payment thereof may be enforced under Act II. of 1839.

SCHEDULE A.

Rates of duty to be charged on goods imported by sea into any port of the Presidency of Bombay, from any port or place not subject to the Government of the East India Company, or from Aden, or from any port or place in the Straits of Malacca, the Tenasserim Provinces, and the Province of Arracan.

Nos.	Enumeration of Goods.	The produce or manufacture of	
		The United Kingdom or any British possession.	Any other place.
		Rate of duty on the value.	Rate of duty on the value.
1	Bullion and Coin	Free.	
2	Precious Stones and Pearls	Ditto.	
3	Grain and Pulse	Ditto.	
4	Horses and other living animals	Ditto.	
5	Ice	Ditto.	
6	Coal, Coke, Bricks, Chalk and Stones (marbles and wrought stones excepted).	Ditto.	
7	Cotton Wool, 9 annas per Indian Maund.		
8	All Machinery imported into India for improvement of the communications, and for development of the commercial resources of the country	Ditto.	
9	Opium covered by a pass	Ditto.	
10	Opium not covered by a pass.	24 rupees per Seer of 80 Tolahs.	
11	Books	Free.	3 per Cent.
12	Marine Stores	5 per Cent.	10 per Cent.
13	Metals, wrought or unwrought	5 per Cent.	10 per Cent.
14	Woollens	5 per Cent.	10 per Cent.
15	Cotton and Silk Piece Goods, and all manufactures of Cotton and Silk (except Thread, Twist and Yarn), or of Cotton or Silk mixed with any other materials	5 per Cent.	10 per Cent.
16	Cotton Thread, Twist and Yarn	3½ per Cent.	10 per Cent.
17	Porter, Ale, Beer, Cyder, and other similar fermented Liquors		5 per Cent.
18	Salt not covered by a Pass		19 annas per Indian Maund.

19	Alum	10 per Cent.
20	Camphor	10 ditto.
21	Cassia	10 ditto.
22	Cloves	10 ditto.
23	Coffee	7½ ditto.
24	Coral	10 ditto.
25	Nutmegs and Mace	10 ditto.
26	Pepper	10 ditto.
27	Rattans	7½ ditto.
28	Tea	10 ditto.
29	Vermillion	10 ditto.
30	Wines and Liqueurs	1 Rupee per Gallon.
31	Spirits, of European and Foreign manufacture, at or below London proof.	1 Rupee 8 annas per Gallon.
32	Spirits, of country manufacture, including Ceylon Arrack	9 Annas per Gallon.
NOTE.—The duty on all Spirits shall be ratably increased as the strength exceeds London proof.		
33	Tobacco, and all preparations thereof, when the market value does not exceed 30 Rupees per Indian Maund.	1 Rupee 8 Annas per Indian Maund.
34	Ditto ditto ditto, when the market value exceeds Rupees 30 per Indian Maund	5 per Cent. on the value.
35	Ditto ditto, on removal from Bond for consumption in the Island of Bombay	7½ Rupees per Indian Maund.
36	All articles not included in the above enumeration	5 per Cent. on the value.

SCHEDULE B.

Rates of Duty to be charged on goods exported by sea from any port or place in the Presidency of Bombay to any port or place not subject to the Government of the East India Company, or to Aden, or any port or place in the Straits of Malacca, the Tenasserim Provinces, and the Province of Arracan.

Nos.	Enumeration of Goods.	Rate of Duty.
1	Bullion and Coin	Free.
2	Precious Stones and pearls	Ditto.
3	Books, Maps, and Drawings, printed in-India	Ditto.
4	Horses and living animals	Ditto.
5	Opium covered by a Pass	Ditto.
6	Opium not covered by a Pass	Prohibited.
7	Cotton Wool	Free.
8	Sugar and Rum	Ditto.
9	Salt having paid Excise duty as prescribed by Law	Ditto.
10	Salt, not covered by a Pass, or Certificate of having paid Excise duty or Import Customs duty	Prohibited.
11	Spirits	9 annas per Gallon.
12	Tobacco, and all preparations thereof.	1 Rupee 8 Annas per Indian Maund of 80 Tolahs to the Seer.
13	All Articles produced or manufactured in the territories governed by the East India Company, and not enumerated or named above	3 per Cent. on the value.
14	All Articles produced or manufactured in any foreign territory, uncovered by a Certificate of having paid Import duty	3 per Cent. on the value.

SCHEDULE C.

ANCHORAGE TOLLS ON COUNTRY CRAFT.

	Candles.	Indian Maunds.		Candles.	Indian Maunds.	Rupees, Annas, Pice.
Above	10	100	not exceeding	20	200	1 0 0
	20			40		1 8 0
	40			60		2 0 0
	60			80		2 8 0
	80			100		3 0 0
	100			150		3 8 0
	150			200		4 0 0
	200			250		4 8 0
	250			300		5 0 0
	300			350		5 8 0
	350			400		6 0 0

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

FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,

*the 2nd January 1852.*

The following Act is passed by the Hon'ble the President of the Council of India in Council, on the 2nd January 1852, 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. II. of 1852.

*An Act for the collection of Land Customs on certain Foreign Frontiers of the Presidency of Bombay.*

Whereas it is expedient to provide for the collection of Land Customs on certain Foreign Frontiers, It is enacted as follows :

I. Duties of Customs shall be levied on Goods passing by land into or out of Foreign European Settlements situated on the line of Coast within the limits of the Presidency of Bombay, at the rates prescribed in the Schedules of Act I. of 1852, at the ports of that Presidency.

II. The Governor of the Presidency of Bombay in Council may declare, by notice to be published in the Official Gazette of that Presidency, that the Territory of any Native Chief, not subject to the jurisdiction of the Courts and Civil Authorities of that Presidency, shall be deemed to be Foreign Territory, and may declare Goods passing into or out of such territory liable either to the duty fixed by the Schedules of Act I. of 1852 for Goods imported or exported at the ports of that Presidency, or to double the said duties, as the Governor of Bombay in Council may think fit.

III. For the levy of duties of Customs as above provided on Goods exported by land to, or imported by land from, such Foreign Territories, Customs Stations may be established at such places as may be determined by the said Governor of Bombay in Council; and every Officer at every such Station shall have power to detain Goods passing into or out of any such Foreign Territory, and to examine and ascertain the quantities and kinds thereof; and such Goods shall not be allowed to pass across the Frontier line out of or into the Territory of the East India Company, until the owner or person in charge thereof shall produce and deliver a certificate showing that the Customs duty leviable thereupon has been paid.

IV. Any Officer of Sea Customs may receive money on account of Customs, and grant certificates of the payment thereof; and any such certificate, being delivered to any Station Officer, shall entitle the Goods therein mentioned to cross the Frontier into or out of the East India Company's Territories, provided that the goods correspond with the specification thereof contained in such certificates, and that the certificates show the entire amount of duty leviable on those Goods to have been duly paid; and if upon examination the Goods brought to any Station be found not to correspond with the specification entered in the certificate presented with the same, the difference shall be noted on the face of the certificate; and if the payment of duty certified therein shall not cover the entire amount of duty leviable on the Goods, as ascertained at such examination, the Goods shall be detained until further certificate for the difference shall be produced.

V. The said Governor of Bombay in Council shall appoint proper Officers to receive Customs duties on Goods crossing the land Frontier of the said Foreign Territories; and the Officers so appointed shall, on the receipt of money tendered as Customs duty, be bound to give any merchant or other person applying for the same a certificate of payment, and to enter therein the specification of Goods, with the values and description

thereof, according to the statement furnished by the person so applying; provided only, that the proper duty leviable thereupon according to the descriptions and values stated be covered by the payment made.

VI. No certificate shall be received at any Station that shall bear date more than thirty days before the date when the Goods arrived at such Station; but any person, who has taken out a certificate from any authorized Receiver of Customs duties, shall be entitled at any time within the said period of thirty days, on satisfying such Receiver that such certificate has not been used, and on delivering up the original, to receive a renewed certificate with a fresh date, without further payment of duty.

VII. The said Governor of Bombay in Council may prescribe, by public notice in the Official Gazette of the Presidency of Bombay, by what ways Goods shall be allowed to pass into or out of any such Foreign Territory, as is described in Sections I. and II. of this Act; and after such notice, Goods which may be brought to any Station established on other roads or passes than those so prescribed, shall, if provided with a certificate, be sent back; and if not provided with a certificate, shall be detained, and shall be liable to confiscation by the Collector of Customs, unless the person in charge thereof shall be able to satisfy the said Collector, that his carrying them by that road or pass was from ignorance or accident.

VIII. Goods unlawfully passed, or attempted to be passed unlawfully across any Frontier guarded by Stations, between sunset and sunrise, shall be seized and confiscated.

IX. Any Station Officer who shall permit Goods to pass across the Frontier, when not covered by a sufficient certificate, or who shall permit Goods to pass by any road or pass other than the prescribed ways, shall be liable, on conviction before a Magistrate, to imprisonment for any term not exceeding six months, and to a fine not exceeding five hundred rupees, commutable, if not paid, to imprisonment for a further period of six months.

X. Any Station Officer who shall needlessly and vexatiously injure Goods under the pretence of examination, or in the course of his examination, or who shall wrongfully detain Goods for which there be produced a sufficient certificate, shall, on conviction before any Magistrate, be liable to imprisonment for any term not exceeding six months, and to a fine not exceeding five hundred rupees, commutable, if not paid, to imprisonment for a further period of six months.

XI. All confiscations and penalties under this Act may be adjudicated by Officers competent to adjudicate like confiscations and penalties under Act I. of 1852, and such Officers shall be subject to the same liabilities and rules in adjudicating such penalties and confiscations as they are subject to when adjudicating the like confiscations and penalties under the provisions of the aforesaid Act.

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

FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,

*the 26th December 1851.*

The following Draft of a proposed Act was read in Council for the first time on the 26th December 1851.

ACT No. — of 185 .

*An Act to facilitate the acquisition of Land needed for public purposes in the Presidency of Fort St. George.*

I. Whenever it shall appear to the Governor of Fort St. George in Council that any land is needed

for a public purpose, he shall make a declaration to that effect in a Minute of Council, and such declaration shall be conclusive evidence that the purpose for which the land is needed is a public purpose.

II. When a declaration has been made by the Governor in Council that any land is needed for a public purpose, if there shall be any hinderance to the immediate acquisition of such land by purchase from the parties interested therein, it shall be competent to the Governor in Council to order the land to be taken possession of on the part of Government, and applied to the purpose for which it is needed, leaving claims for compensation for the land to be determined as hereinafter provided.

III. When such order is passed by the Governor in Council it shall be sent to the Collector of the District in which the land lies, or to such other Officer as the Governor in Council shall think fit to appoint to carry it into execution, and the Collector, or other Officer so appointed, shall cause the land ordered to be taken to be marked out and measured, and possession to be taken thereof on behalf of Government, and the land shall thenceforward be vested absolutely in the Government, free and clear of all other the estates, rights, titles, remainders, reversions, limitations, trusts, and interests, and also of all mortgages, liens, or incumbrances whatsoever, of and in the land so taken as aforesaid, and any suit which may be instituted to recover the land so taken by Government in any Court of Judicature shall be dismissed with costs. Provided always, that nothing herein contained shall affect the liability of the party who may receive the value of any land so taken by Government, without having a good title to the same.

IV. As soon as the land has been marked out, the Collector, or other Officer appointed as aforesaid, shall cause the order in Council to be affixed in some conspicuous place upon the land, and published by proclamation in the neighbouring bazars and villages, with a citation, calling on all parties interested in the land to appear before him in person, or by authorized agents, on a certain day, not less than fifteen days after the date of citation, and to state the nature of their interests in the land required, and the amount and particulars of their claims to compensation for the same.

V. It shall be competent to the said Collector, or other Officer appointed as aforesaid, to admit any such claims that appear to him to be valid, and if he and all the parties interested in the land agree as to the compensation to be allowed to them respectively, to pass an award for the same.

VI. If the said Collector or Officer shall judge any of the claims preferred to be inadmissible, and the parties interested in the land or any of them shall nevertheless persist in such claims, or if the said Collector or Officer, admitting the interests claimed, shall object to the compensation demanded for the same, as excessive, the points in dispute shall be referred to the determination of arbitrators, to be appointed in the manner hereinafter provided.

VII. Two persons shall be chosen to act as arbitrators on the part of Government, by the Collector, or other Officer duly appointed as aforesaid, and the parties claiming to be interested in the land taken shall be called upon by the said Collector or Officer to elect, within fifteen days, two persons to act as arbitrators on his or their part. If there be several parties interested as aforesaid, and they cannot agree within the required period in the election of persons to act as arbitrators on their behalf, then and in that case each of them shall nominate one person, whom he may desire to act on his behalf, and the said Collector or Officer shall choose by lot, out of the persons so nominated by the parties aforesaid, or by any of them, two persons to act as arbitrators on behalf of the parties interested in the land. If only two persons

shall be so nominated by the parties interested in the land, they shall be the arbitrators on behalf of such parties, whether the whole of the parties interested as aforesaid may or may not have been concerned in their nomination. If only one person shall be so nominated, then only one of the persons selected to act as arbitrators on the part of Government shall be employed on the duty. If the parties interested in the land shall refuse or neglect, or if, by reason of minority, lunacy, or absence from the Presidency, they shall be unable to make any nomination within the required period, then the said Collector or Officer shall and may select two impartial persons to arbitrate the matter between Government and the parties interested in the land.

VIII. Before the arbitrators proceed to arbitrate, they shall be required by the said Collector or Officer to appoint an umpire for the decision of any points wherein they may differ in opinion, when the voices on each side shall be equal. If the arbitrators cannot agree in the selection of an umpire, the said Collector or Officer shall be authorized to choose some person to act as such.

IX. In cases wherein the arbitrators may differ in opinion, if the voices on each side shall be equal, the decision of the umpire on the point of difference shall be conclusive. In all other cases, the opinion of the majority of arbitrators shall determine the award.

X. The arbitrators shall hold their inquiry under the general superintendance of the Collector or other Officer appointed as aforesaid, who shall be competent to exercise towards them such powers and authority for the purpose of securing their attendance, and the due completion of their award, as the Courts of Judicature may legally exercise towards persons summoned as witnesses before them, for the purpose of compelling such witnesses to attend and give evidence. It shall further be competent to the Officer presiding, in the event of any unnecessary delay on the part of arbitrators in determining any question referred to them, to call upon them to make their award within a specified time, and, in default thereof, to refer such question to the umpire for his decision.

XI. The said Collector, or other Officer appointed as aforesaid shall, on the application of the arbitrators, summon any witnesses whom the arbitrators may call for, and whom the parties may not be able to produce before them without such process. He shall also cause the proper forms of affirmation to be executed by any witnesses whom the arbitrators may desire to examine upon affirmation, or he may empower the arbitrators to administer, or cause the execution of such affirmation, if the witnesses cannot with convenience attend before him. Any witness who shall refuse or omit to appear when duly summoned by such Collector or Officer, or who shall appear, but shall refuse to execute the affirmation to be administered as aforesaid, or who shall refuse to give evidence, shall be liable to the same punishment which would be incurred under the Law by a witness refusing to appear or give evidence before a Court of Justice. Any person giving intentionally and deliberately a false deposition, under a solemn affirmation in any case referred to arbitration as above, and upon a point material to the issue thereof, shall be held to be guilty of perjury, and shall be liable to the penalties prescribed for that offence by Law; and any person causing or procuring another person to commit the offence of perjury, as above described, shall be guilty of subornation of perjury, and punishable according to Law.

XII. It shall also be competent to the Collector, or other Officer appointed as aforesaid, to demand from the parties interested in the land so taken as aforesaid, the production of any accounts, title deeds, or other documents which may be required by the arbitrators for the purposes of their inquiry, and in the

event of such accounts, title deeds, or documents, being withheld, and the fact of their existence being proved by information given upon solemn affirmation, to order the seizure of such accounts, title deeds, and documents, wherever they may have been deposited, in the manner prescribed by Section IX Regulation IX. of 1822 of the Madras Code, and to exercise for that purpose the powers thereby vested in Collectors.

XIII. The arbitrators shall take into consideration the statements of the parties interested in the said land, and the objections of the Collector or other Officer aforesaid on behalf of Government, and after examining the evidence offered on both sides, and making any further inquiry that may appear to them necessary, shall pass their award allowing or disallowing the interests claimed, and determining the total amount of compensation to be given for the interests allowed, the mode in which it is to be given, and, if to be given to more than one party, the shares of the total compensation which each party shall be entitled to receive.

XIV. The award of the arbitrators, or of the umpire, if he shall be called upon to make an award, shall be binding and conclusive both upon the Government and the parties interested in the land, as respects the gross amount of the compensation to be paid by Government, unless the award shall be set aside by the Civil Court of the zillah upon a charge of corruption against the arbitrators, or the umpire, as the case may be, brought by either party, and proved after due investigation to the satisfaction of such Court; in which case the matter shall be referred for the determination of a second set of arbitrators, to be chosen in the same manner as the first, and their decision, whatever it may be, shall be final. No petition to set aside an award made under this Act shall be received by the Civil Court of the zillah, unless it be presented within thirty days from the date of the award complained of; and the said petition shall be presented on stamped paper of the value used for miscellaneous petitions, and shall be accompanied with a copy of the award objected to. The award of the arbitrators or umpire shall also be binding as respects the shares to be paid to the several parties interested in the land, unless upon a suit instituted within thirty days from the date of the award, in a competent Court, by any of the parties concerned, to alter the apportionment made by such award, an injunction shall be issued to suspend the payment until a decree is passed in the case.

XV. If any question arises as to the previous possession of or title to any land taken by Government under this Act, or if the parties, or any of them interested in the land, are minors, lunatics, or absent as aforesaid, and are not represented by their guardian, committee, attorney, or other person authorized in that behalf, or if there exist other grounds which, in the judgment of the arbitrators, render it improper to make immediate payment of the compensation awarded by them, or of any part thereof, to any of the parties interested in such land, the said arbitrators shall certify the same to the said Collector or Officer under whose directions they may act, and in such case, or if for any such reason, or any such ground as aforesaid, the said Collector or other Officer shall deem immediate payment improper, then the amount of compensation payable shall be held in deposit by Government, until the parties interested in the said land, or some of them, shall obtain an order of a competent Court for the payment of the same, and interest (if any) to them. All sums held in deposit as aforesaid, exceeding in amount the sum of        Rupees, shall be invested in Government Securities.

XVI. On the close of the inquiry, the arbitrators or umpire shall deliver to the Collector, or other Officer appointed as aforesaid, a full and complete report and award upon the questions submitted to their arbitra-

tion, under their respective signatures, specifying the amount of compensation to be granted, and (except where under Section XV. it may appear proper to suspend payment,) the parties to whom it is to be made, and the proportions to be paid to each respectively, with a solemn declaration subscribed thereto, that the award so given is, to the best of their judgment, true and impartial, and according to the evidence adduced before them, and they shall at the same time deposit with the said Collector or Officer the whole of their proceedings.

XVII. All suits and proceedings instituted against Government to obtain compensation for land taken as aforesaid, other than such petitions to set aside awards as aforesaid, shall be dismissed with costs, but nothing herein contained shall affect the rights of any party to recover the value of any land taken by Government from any person who may have received the same without having any title thereto.

XVIII. In the case of land declared by a Minute of the Governor in Council to be needed for a public purpose being acquired by the Government by bargain with and purchase from the parties apparently interested therein, the Collector, or Officer appointed by Government to receive possession of the same, shall cause proclamation to be made in the manner prescribed in the 4th Section of this Act, of the transfer of the land to Government, by the said parties, and requiring all other persons who may claim any right, title, or interest in such land, to prefer their claims within one Calendar month after such proclamation made, and any claims that may be preferred shall be dealt with under Section V. or under Section VI. and the following Sections of this Act. Provided always, that if no claim shall be made within one Calendar month after such proclamation as aforesaid, the said land shall vest absolutely in the Government, free and clear of all other estates, rights, titles, remainders, reversions, limitations, trusts, interests, mortgages, liens, or incumbrances whatsoever, of and in the said land so purchased, and any suit to recover the land so purchased by Government, or to obtain from Government compensation for the loss thereof, which may be preferred in any Court of Judicature, shall be dismissed with costs. But nothing herein contained shall affect the liability of the party who may receive the value of any land purchased by Government, without having a good title to the same.

XIX. In cases referred to arbitration, under the provisions of this Act, any necessary expense which may attend the inquiry of the arbitration, whether for the diet of witnesses, or otherwise, shall be paid by Government.

XX. The provisions of Act XLII. of 1850 shall be applicable and in force within the Madras Presidency; and the said Act shall be construed as if instead of the words and figures "Regulation I. of 1824 of the Bengal Code" or "the said Regulation" therein mentioned, the number and title of this Act had been therein inserted.

XXI. 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 word "land" shall extend to tenements and hereditaments of any tenure, and all houses, buildings, walls, or appurtenances thereupon, as well as land.

The expression "party or parties interested in the land" shall be understood to mean all parties interested in the land either for life or for years, or in remainder, reversion, or succession, and all trustees, cestui



que trusts, mortgagees, incumbrancers, leaseholders or tenants, not being tenants by the month or at will of such land.

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

Ordered, that the said Draft be re-considered at the first meeting of the Legislative Council of India after the 26th day of March 1852.

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

FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,

the 26th December 1851.

The following Draft of a proposed Act was read in Council for the first time on the 26th December 1851:—

ACT No. — OF 185 .

*An Act to facilitate the Prosecution of Native Ministerial Officers for certain Criminal Acts.*

Whereas it is expedient to enable the Local Governments, and the Head Officers of Departments or Offices under Government, to prosecute their subordinate Native Ministerial Officers for acts of corruption, extortion, embezzlement, or other malversation, whether or not any charge be preferred by an aggrieved private party in respect of such acts, it is enacted as follows:

I. Whenever the Local Government, or the Head Officer of a Department or Office under Government, shall be of opinion that there are good grounds for making a public inquiry into the truth of any imputation of corruption, extortion, embezzlement, or other malversation committed at any time during tenure of Office by any Native Ministerial Officer subordinate to such Government, or employed in such Department or Office, as the case may be, it shall be lawful for such Government, or any such Head Officer as aforesaid, to prosecute such Native Officer on the part of Government in a Criminal Court, or to nominate some person to conduct such prosecution: it shall also be lawful for such Government or Head Officer as aforesaid, in their or his discretion, to undertake on the part of Government the prosecution in a Criminal Court of any such charge, as aforesaid, which may be brought by an aggrieved private party against any Native Ministerial Officer.

II. Provided always, that where no such charge, as aforesaid, is preferred by an aggrieved private individual, no Collector or Magistrate shall commence a prosecution under this Act on his own authority until he shall have obtained the permission of the Commissioner of the Division, or of the Superintendent of Police, to institute the same.

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

Ordered, that the Draft be re-considered at the first Meeting of the Legislative Council of India after the 26th day of March 1852.

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

FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,

the 2nd January 1852.

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 2nd January, is published for general information:

Read a second time the Draft of a proposed Act, dated the 11th July 1851, and published in the Cal-

cutta 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.

ACT No. — OF 1852.

*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 I. Section VIII. 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 of the same Code 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 conterminous 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 judicature, 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 Malgoozaree 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 IX., XI., XIII., XV., and XVII. 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 re-considered at the first Meeting of the Legislative Council of India after the 2nd day of March next.

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

FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,

the 9th January 1852.

The following Draft of a proposed Act was read in Council for the first time on the 9th January 1852.

ACT NO. — OF 1852.

An Act to diminish the expense and delay of Proceedings in Her Majesty's Courts within the Territories of the East India Company.

I. It shall be lawful for persons interested, or claiming to be interested in any question cognizable in Her Majesty's Courts within the Territories of the East India Company on the Equity, Plea, Ecclesiastical, or Admiralty sides thereof respectively, and including among such persons all lunatics, married women, and infants, in the manner and under the restrictions hereinafter contained, to concur in stating such question in the form of a special case for the opinion of the said Courts, and it shall also be lawful for all Executors, Administrators, and Trustees, to concur in such case.

II. The Committee of the estate of any lunatic interested, or claiming to be interested, in any such question as aforesaid may, after having been authorized in that behalf by the Court, or any Judge thereof, in which such special case is filed, concur in such case in his own name, and in the name and on the behalf of the lunatic.

III. A husband interested, or claiming to be interested in right of his wife in any such question as aforesaid, may concur in such case in his own name, and in the name of his wife where the wife has no claim to any interest distinct from her husband, and a married woman, having or claiming any interest in any such questions as aforesaid distinct from her husband may, in her own right, concur in such case, provided that her husband also concurs therein.

IV. The guardian of any infant interested, or claiming to be interested, in any such question as aforesaid, may concur in such case in the name and on the behalf of the infant, unless such guardian has an interest in such question adverse to the interest of the infant therein.

V. It shall be lawful for the said Courts, by order to be made in the matter of any lunatic not found such by inquisition, or in the matter of any infant, upon the application of any person on the behalf of such lunatic, or upon the application of such infant, to appoint any person shown by affidavit to be a fit person, and to have no interest adverse to the interest of the lunatic or infant, to be the special guardian of such lunatic or infant for the purpose of concurring in such case in the name and on behalf of the lunatic or infant, and any such person so appointed may lawfully so concur. Provided always, that it shall be lawful for the said Courts to require notice of such application to be given to such person, if any, as the Court shall think fit.

VI. In any case in which any such order as aforesaid shall have been made by the said Courts in the matter of any infant without notice to the guardian of the infant, it shall be lawful for the said Courts, if they shall respectively think fit so to do, to discharge such order upon the application of such guardian, by motion or petition; and the said Courts, if they shall respectively think fit, may thereupon appoint some other fit person to be the special guardian of such infant for the purpose of such special case, and may also give such directions as may be necessary for substituting in such special case either the name of the guardian so applying, or of the special guardian so appointed, in lieu of the name of the special guardian so displaced. Provided always, that the discharge of

any order appointing a special guardian shall not invalidate any thing which shall in the mean time have been done by such special guardian, unless the Court shall, upon notice to all parties, specially so direct.

VII. Every such special case shall be entitled as a cause between some or one of the parties interested, or claiming to be interested, as plaintiffs or plaintiff, and the others or other of them as defendants or defendant; and in the title to such cases, lunatics and infants shall be described as such, and their committees, guardians, or special guardians named; and where in any such case a married woman is named as a plaintiff, and her husband as a defendant thereto, a next friend of such married woman shall be named in the title to such case.

VIII. Every such special case shall concisely state such facts and documents as may be necessary to enable the Court to decide the question raised thereby; and upon the hearing of such case, the Court and the parties shall be at liberty to refer to the whole contents of such documents; and the Court shall be at liberty to draw from the facts and documents stated in any such special case any inference which the Court might have drawn therefrom if proved in a cause.

IX. Every such special case to which an infant or lunatic is a party by his guardian or special guardian shall also state how such guardian or special guardian was constituted; and where any married woman having or claiming any interest distinct from her husband is a party to such case, it shall be stated therein that she concurs in such case in her own right.

X. Every such special case shall be signed by Counsel for all parties, and shall be filed in the same manner as bills, plaints, or allegations are filed, and the defendants may appear thereto in the same manner as defendants appear to bills, plaints, or allegations, and no defendants shall be required to take an office copy of a special case, but an office copy thereof shall be taken by the plaintiff.

XI. After a special case shall have been filed, and the defendants shall have appeared thereto, all the parties to such special case shall be subject to the jurisdiction of the Court in the same manner as if the plaintiff in the special case had filed a bill, plaint, or allegation against the parties named as defendants thereto, and such defendants had appeared to such bill, plaint, or allegation, and upon the special case being filed, and appearances entered thereto as aforesaid, all parties to such special case, shall, for the purposes of such special case, be bound by the statements therein.

XII. So soon as all the defendants shall have appeared to the special case, the same may be set down for hearing, and subpoenas to hear judgment or notices of hearing, issued and served according to the practice of the said Courts.

XIII. It shall be lawful for the said Courts, upon the hearing of any such special case as aforesaid, to determine the questions raised therein, or any of them, and by decree or judgment to declare its opinion thereon, and, so far as the case shall admit of the same, upon the right involved therein, without proceeding to administer any relief consequent upon such declaration, and every such declaration of the said Court contained in any such decree or judgment shall

How special cases to be entitled.

Form of special case.

Special case to state how guardian constituted, and the concurrence of married women.

Special case to be signed by Counsel and filed, and appearances to be entered for defendants.

Parties to be bound by statements after defendants have appeared to special case.

How cases to be set down for hearing.

Upon hearing Court to determine question and make declaration.

have the same force and effect as such declaration would have had, and shall be binding to the same extent as such declaration would have been, if contained in a decree or judgment made in a suit between the same parties instituted by bill, plaint, or allegation; provided always, that if upon the hearing of such special case as aforesaid, the Court shall be of opinion that the statements contained therein, so far as the same affect the interest of any married woman, infant, or lunatic, are not true, or that the questions raised thereby, or any of them, cannot properly be decided

upon such case, the same may be at such hearing, with the consent of all parties thereto, and of the Court, amended so as properly to raise such questions, or the said Court may refuse to decide the same.

XIV. Every Executor, Administrator, Trustee, or other person making any payment, or doing any act in conformity with the declaration contained in any decree or judgment made or pronounced upon a special case, shall in all respects be as fully and effectually protected and indemnified by such declaration, as if such payment had been made or act done under or in pursuance of the express order of the said Court made in a suit, action, or proceeding between the same parties instituted by bill, plaint, or allegation, save only as to any rights or claims of any person in respect of matters not determined by such declaration.

Protection to be afforded to Trustees by declaration. upon a special case, shall in all respects be as fully and effectually protected and indemnified by such declaration, as if such payment had been made or act done under or in pursuance of the express order of the said Court made in a suit, action, or proceeding between the same parties instituted by bill, plaint, or allegation, save only as to any rights or claims of any person in respect of matters not determined by such declaration.

XV. Where any person shall be desirous to have a special case re-heard, or to appeal from the decision thereon, it shall be lawful for the said Courts respectively, upon application for that purpose, either at the time of the decree or judgment upon such special case being made, or at any time afterwards, and upon such conditions, if any, as the Court shall think fit, to order that the declaration contained in such decree shall not be acted upon for such time as the said Courts respectively shall think just.

The Court may suspend the acting upon declaration. The Court may suspend the acting upon declaration. that purpose, either at the time of the decree or judgment upon such special case being made, or at any time afterwards, and upon such conditions, if any, as the Court shall think fit, to order that the declaration contained in such decree shall not be acted upon for such time as the said Courts respectively shall think just.

XVI. The filing of a special case, and the entering of appearances thereto by the persons named as defendants therein, shall be taken to be a *lis pendens*.

Special case to be a *lis pendens*, and may be filed. Special case to be a *lis pendens*, and may be filed. the persons named as defendants therein, shall be taken to be a *lis pendens*.

XVII. Any documents referred to in a special case, and any copies thereof, or extracts therefrom, identified by the signature of the solicitors for all parties, may be produced and read at the hearing of such case, and it shall be lawful for the said Courts respectively at any time after the filing of the special case, and the entering of appearances thereto by the persons named, as defendants therein, to order any document, which may be admitted thereby to be in the possession of any party to such case, to be deposited and produced in such manner and for such purposes as the said Courts respectively shall think fit.

Mode of identifying documents, and Court may order production. Mode of identifying documents, and Court may order production. the hearing of such case, and it shall be lawful for the said Courts respectively at any time after the filing of the special case, and the entering of appearances thereto by the persons named, as defendants therein, to order any document, which may be admitted thereby to be in the possession of any party to such case, to be deposited and produced in such manner and for such purposes as the said Courts respectively shall think fit.

without further proof; and it shall be lawful for the said Courts respectively at any time after the filing of the special case, and the entering of appearances thereto by the persons named, as defendants therein, to order any document, which may be admitted thereby to be in the possession of any party to such case, to be deposited and produced in such manner and for such purposes as the said Courts respectively shall think fit.

XVIII. It shall be lawful for the said Courts, upon the application of the Executors or Administrators of any deceased person, by order to be made upon motion or petition of course, and to be in the form or to the effect set forth in the Schedule hereto, with such variations as circumstances may require, to refer it to the Master of the said

Court, upon application of Executors or Administrators, may by order of course direct it to be referred to a Master to take an account of debts and liabilities. Court, upon application of Executors or Administrators, may by order of course direct it to be referred to a Master to take an account of debts and liabilities.

Courts respectively to take an account of the debts and liabilities affecting the personal estate of such deceased person, and to report thereon; provided always, that no such order shall be made until the

expiration of one year next after the death of such deceased person, or pending any proceedings to administer the estate of such person, and in case at any time after the making of such order, any decree or order for administering the estate of such deceased person shall be made, it shall be lawful for the said Courts respectively, by such decree or order, to stay or suspend the proceedings under such order, of course on such terms and conditions, if any, as to the said Courts respectively shall seem just.

XIX. It shall be lawful for any person who may have come in before the Master under any such order, and claimed to be a creditor upon the estate of the deceased person, or to have any demand upon such estate by reason of any liability, and whose debt or claim may not have been wholly allowed by the said Master, to apply to the Court making such order by motion, of which notice shall be given within fourteen days after the filing of the Master's Report, to have such claim allowed by such Court, either wholly or partially; and it shall be lawful for the said Executors or Administrators, and for any creditor of the deceased person who may be authorized by special leave of the said Court so to do, to apply to the said Court by motion, of which notice shall be given within the time aforesaid, to have any debt or claim allowed by the said Master disallowed by the said Court, either wholly or partially, and, at the expiration of fourteen days after the filing of the said report, the same shall, except as to any debt or claim as to which any such notice as aforesaid may have been given, be absolute, as if the same had been confirmed by order of the said Court.

Master's Report may be objected to by motion to the Court, of which notice shall be given. Master's Report may be objected to by motion to the Court, of which notice shall be given. have any demand upon such estate by reason of any liability, and whose debt or claim may not have been wholly allowed by the said Master, to apply to the Court making such order by motion, of which notice shall be given within fourteen days after the filing of the Master's Report, to have such claim allowed by such Court, either wholly or partially; and it shall be lawful for the said Executors or Administrators, and for any creditor of the deceased person who may be authorized by special leave of the said Court so to do, to apply to the said Court by motion, of which notice shall be given within the time aforesaid, to have any debt or claim allowed by the said Master disallowed by the said Court, either wholly or partially, and, at the expiration of fourteen days after the filing of the said report, the same shall, except as to any debt or claim as to which any such notice as aforesaid may have been given, be absolute, as if the same had been confirmed by order of the said Court.

XX. Upon the hearing of any such motion as aforesaid, the said Courts respectively may either dismiss such motion, or may order the debt or claim to which such motion relates to be allowed or disallowed, as the case may be, and either wholly or partially, or may direct further inquiry or further proceedings, by way of action or otherwise, touching such debt or claim; and after such inquiry or proceedings may, upon further motion, deal with such debt or claim as to the said Courts respectively shall seem just: Provided always, that no new evidence shall be received by the said Courts upon the hearing of any such motion without special leave of the said Courts.

Proceeding of the Court on such motion. Proceeding of the Court on such motion. the said Courts respectively may either dismiss such motion, or may order the debt or claim to which such motion relates to be allowed or disallowed, as the case may be, and either wholly or partially, or may direct further inquiry or further proceedings, by way of action or otherwise, touching such debt or claim; and after such inquiry or proceedings may, upon further motion, deal with such debt or claim as to the said Courts respectively shall seem just: Provided always, that no new evidence shall be received by the said Courts upon the hearing of any such motion without special leave of the said Courts.

XXI. In case any debt or any certain liability shall have been allowed as aforesaid, and shall not within fourteen days after the report has become absolute as to such debt or liability, or after the same shall have been allowed by the said Court, to be paid or provided for by appropriation to the satisfaction of the person who has established such liability, it shall be lawful for the said Courts respectively by order to be made, in case of any debt remaining due, upon the application by motion or petition of the person to whom the debt remains due, and on notice to the Executors or Administrators, and in case of any certain liability remaining unprovided for by appropriation, upon the application by motion or petition of the person by whom such liability has been established, or of the Executors or Administrators, and on notice by the party applying to the other of them, to order payment of the debts which may have been allowed and remain unpaid, and to provide for the certain liabilities which may have been allowed and remain unprovided for, in like manner as the same could or might have been paid or provided for in a suit for that purpose instituted by Bill, or to refer it to the Master to take an account of the debts and certain liabilities allowed as aforesaid which remain unpaid or unprovided for, and also the

been allowed by the said Court, to be paid or provided for by appropriation to the satisfaction of the person who has established such liability, it shall be lawful for the said Courts respectively by order to be made, in case of any debt remaining due, upon the application by motion or petition of the person to whom the debt remains due, and on notice to the Executors or Administrators, and in case of any certain liability remaining unprovided for by appropriation, upon the application by motion or petition of the person by whom such liability has been established, or of the Executors or Administrators, and on notice by the party applying to the other of them, to order payment of the debts which may have been allowed and remain unpaid, and to provide for the certain liabilities which may have been allowed and remain unprovided for, in like manner as the same could or might have been paid or provided for in a suit for that purpose instituted by Bill, or to refer it to the Master to take an account of the debts and certain liabilities allowed as aforesaid which remain unpaid or unprovided for, and also the

usual accounts of the personal estate of the deceased person with all usual and proper directions; and every such order shall have the same force and effect, and shall be prosecuted and carried on in like manner as a decree in a creditor's suit instituted by bill.

XXII. In case any contingent liability shall be allowed by the said report, or by the said Courts respectively, it shall be lawful for the said Courts, by order, to be made upon the application of the Executors or Administrators, by motion or petition, on notice to the person who may have

Court, on application of Executors or Administrators, may direct appropriation of Money to answer contingent liability.

established such contingent liability, to order such sum of money, part of the estate of the deceased person, as to the said Courts respectively shall seem just, to be set apart and appropriated for answering such contingent liability, and to give such directions as the said Courts shall think fit touching the payment of such sum of money into Courts, and the investment thereof, and the payment, application, or accumulation of the interest or dividends thereof in the mean time, and until the same shall be required to answer such liability, and when such liability shall be ascertained or determined, to give such directions as to the payment of such sum out of Court as the said Courts respectively shall deem right: Provided always, that no order to be made as aforesaid shall in any manner bind the assets so appropriated as against the persons entitled to the estate of the deceased, subject to the contingent liability; and any person interested in such appropriated assets may apply to the Court touching the same, as he may be advised.

XXIII. After the filing of such report as aforesaid, it shall be lawful for the said Courts respectively, upon the application of the Executors or Administrators of the deceased, by order, to be made on motion, to restrain by injunction any proceedings at law against them by any person having or claiming to have any demand upon the estate of the deceased by reason of any debt or liability other than the persons who may have established contingent liabilities under the said order for which no appropriation may have been made.

XXIV. In case no debt or liability, or no debt or liability other than a contingent liability, shall have been allowed as aforesaid, or in case any debt or liability other than as aforesaid shall have been allowed as aforesaid, then

Protection to be afforded to Executors and Administrators.

after the same shall have been paid or provided for by appropriation as aforesaid, all payments made by the Executors or Administrators, or any of them, on account of the estate of the deceased person, and all dispositions of such assets made by them or any of them on account of such estate, shall as against all persons having or claiming to have any demand upon such estate by reason of any debt or liability, other than persons who may have established under the said order any contingent liability for which no such appropriation as aforesaid may have been made, be as good and effectual as if the same had been made under a decree of the said Courts respectively: Provided always, that nothing herein contained shall in any manner affect or prejudice the rights of any creditor or other person having any demand or claim upon the estate of the deceased against any assets so paid or disposed of, or against the persons to whom such payment or disposition may have been made, or against any assets appropriated under the provisions of this Act, and the appropriation of which, if made under a decree of the said Court, in a suit to which he was not a party, would not have been binding upon him.

XXV. All exceptions for scandal, impertinence, and insufficiency, which, according to the existing practice of the said Courts, are referred to the Masters

Exceptions for scandal, imperti-

ence, and insufficiency, to be heard by the Court.

Courts in the first instance.

XXVI. Notwithstanding any rule or practice of the said Courts to the contrary, it shall be lawful for the said Courts respectively, at the hearing of any cause, or of any further directions therein, to receive proof by affidavit or otherwise of all proper parties

being before the Court, and of all such matters as are necessary to be proved for enabling the said Courts respectively to order payment of any monies belonging to any married woman, and of all such other matters, not directly in issue in the cause, as in the opinion of the said Courts respectively may safely and properly be so proved.

XXVII. It shall be lawful for the said Courts

Her Majesty's Courts to make General Rules and Orders from time to time.

respectively, from time to time, to make, rescind, and alter General Rules and Orders for better enabling the opinion of the said Courts respectively to be obtained on special cases, and for effectuating the

purposes of this Act as to the debts and liabilities of deceased persons, and for making any provision which may be or be deemed necessary or proper as to amendment, revivor, and supplemental matter or relief, and as to costs of any proceedings under or in pursuance of this Act, and for regulating the times and form and mode of procedure and practice of the said Courts in respect of the matters to which this Act relates, and every of them, and so far as may be found expedient for altering the course of proceeding hereinbefore prescribed in respect to such matters or any of them, and generally for assimilating the practice of the said Courts respectively to that of the High Court of Chancery in England.

XXVIII. All such General Rules and Orders shall

Rules and Orders to be laid before the Governor General in Council, and to be binding from the time appointed, or from the making, unless objected to.

be laid before the Governor General of India in Council within one month after the making and issuing the same, and every such Rule or Order shall, from and after the time in that behalf to be appointed by the said Courts respectively, and if no time shall be so appointed,

then from and after the making thereof, be binding and obligatory on the said Courts respectively, and be of like force and effect as if the provisions therein contained had been expressly enacted by the Governor General of India in Council. Provided always, that if the said Governor General of India in Council shall, by any resolution passed at any time within six months after such Rules, Orders, and Regulations shall have been laid before him, resolve that the whole or any part of such Rules or Orders ought not to continue in force, in such case the whole or such part thereof as shall be so included in such resolution shall, from and after such resolution, cease to be binding and obligatory on the said Court; provided that every such Rule or Order so expressed to be made in pursuance of this Act which shall not be laid before the Governor General of India in Council within the time by this Act limited for that purpose shall, from and after the expiration of such time, be absolutely void and of no effect. Provided always, that nothing in this clause contained shall be construed so that the said Rules or Orders should not be transmitted as heretofore to Her Majesty in Privy Council for approbation.

XXIX. In the mean time, and until any such Ge-

Until Rules or Orders are made, and if not applicable when made,

neral Rules or Orders shall be made, and in so far as the same, when made, shall not be applicable, the proceedings under this Act

practice to be according to this Act and practice of the Court.

tend shall, as well with respect to the persons who ought to be made parties to special cases as in every other respect, be governed and regulated by the Rules, Orders, and practice of the said Courts respectively, in suits instituted by bill, so far as the same can be applied thereto; and subject to such General Rules and Orders as aforesaid, the costs of all proceedings under this Act, shall be in the discretion of the said Courts respectively.

XXX. All decrees and orders made under the provisions of this Act shall be subject to rehearing, appeal, and review, and may be discharged and varied in the same and the like manner as decrees and orders of the said Courts made in suits instituted by bill.

XXXI. 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 in the context repugnant to such construction:

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 expression "Her Majesty's Courts" or "Courts" shall mean and include Her Majesty's Supreme Courts of Judicature at Bengal, Madras, and Bombay, and also the Court of Judicature of the Straits Settlements.

The word "Lunatic" shall include idiots and persons of unsound mind, and whether found such by inquisition or not.

The word "Guardian" shall mean father or testamentary guardian, or guardian appointed by any of Her Majesty's Courts (not being a special guardian appointed under the provisions of this Act).

XXXII. This Act shall commence and take effect from and after the first day of one thousand eight hundred and fifty-two.

*Schedule referred to by the foregoing Act.*  
(Date.)

In the matter of A. B., late of \_\_\_\_\_ in \_\_\_\_\_ Banker (or as the case may be), deceased.

Upon motion this day made into this Court by Mr. \_\_\_\_\_ of Counsel for C. D. of \_\_\_\_\_

the executor (or administrator) of the above-named A. B. (or upon the humble petition of C. D. of \_\_\_\_\_ the executor (or administrator) of the said A. B. this day preferred unto the Supreme Court of Judicature at \_\_\_\_\_

for the reasons therein contained,) it is ordered, That it be referred to the Master of this Court in rotation to take an account of the debts and liabilities affecting the personal estate of the said A. B., and to compute interest on such of the said debts and liabilities as carry interest after the rate of interest the same respectively carry; and the said Master is to cause an advertisement to be published in the \_\_\_\_\_ Gazette, and such other public papers as he shall think fit for the persons claiming in respect of any such debts or liabilities to come in before the said Master, and prove their debts and claims, and he is to fix a peremptory day for that purpose; and such of the creditors as shall not come in and prove their debts and claims by the time so to be limited, are to be excluded the benefit of this order; and it is ordered, that the Master do distinguish debts from liabilities, and liabilities certain from liabilities contingent; and it is ordered, that the personal estate

of the said A. B. be applied in payment and satisfaction of such debts and liabilities of the said A. B. in a due course of administration; and for the better taking the said accounts and discovery of the matters aforesaid, the parties are to produce before the Master, upon oath, all deeds, books, papers, and writings in their custody or power relating thereto, and are to be examined upon interrogatories as the said Master shall direct; and any of the parties are to be at liberty to apply to the Court as there shall be occasion.

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 9th day of March 1852.

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

FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,  
the 9th January 1852.

The following Draft of a proposed Act was read in Council for the first time on the 9th January 1852.

ACT. No. — of 1852.

*An Act to authorize the employment of Uncovenanted Deputy Collectors in the Presidency of Bombay.*

Whereas the exigencies of the public service require the employment of Uncovenanted Deputy Collectors in the Revenue Department within the Presidency of Bombay, it is hereby enacted as follows:

I. The Governor of Bombay in Council may appoint in any Zillah or District within the said Presidency one or more Uncovenanted Deputy Collectors, with the powers hereinafter mentioned.

II. Every person appointed a Deputy Collector under this Act shall, before entering upon the duties of his office, make and subscribe before the Collector and Magistrate of the Zillah a solemn declaration to the same effect as the oath prescribed in Appendix A, annexed to Regulation XVI. of 1827 of the Bombay Code, the words "the East India Company" being inserted in such declaration, instead of the words "the United Company of Merchants of England trading to the East Indies," and the words "United Company" in the said oath contained.

III. Deputy Collectors appointed under this Act shall discharge such of the duties, and exercise such of the powers, of the Covenanted Assistants in the Revenue Department, as shall be prescribed from time to time in each case by the Governor of Bombay in Council, and shall be subject to the same control and authority in all respects as such Assistants respectively.

IV. Section XI. of Regulation XVI. of 1827 of the Bombay Code, shall be applicable to Deputy Collectors appointed under this Act, who shall hold their offices subject to the provisions of the said Section.

V. No Deputy Collector appointed under this Act shall be dismissed from office without the sanction of the Governor of Bombay in Council. Whenever there is reason to believe that a Deputy Collector is disqualified, by neglect, incapacity, corruption, or other misbehaviour, for continuance in office, a report shall be made by his superior in the Revenue Department for the consideration and orders of the Governor of Bombay in Council, who shall be competent to suspend such Deputy Collector, and order a further enquiry into his conduct, or direct his immediate dismissal, as may appear just and proper.

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 9th day of April next.

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

FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,  
the 9th January 1852.

The following Draft of a proposed Act was read in Council for the first time on the 9th of January 1852.

Act No. — or 1852.

*An Act to amend the Law of Evidence.*

Whereas it is expedient to amend the law of Evidence in divers particulars, It is hereby enacted as follows :

I. So much of Section I. of Act No. VII. of 1844 as provides that the said Act shall "not render competent any party to any suit, action, or proceeding individually named in the record, or any lessor of the plaintiff or tenant of premises sought to be recovered in ejectment, or the landlord or other person in whose right any defendant in replevin may make cognizance, or any person in whose immediate and individual behalf any action may be brought or defended, either wholly or in part," is hereby repealed.

II. On the trial of any issue joined, or of any matter or question, or on any inquiry arising in any suit, action, or other proceeding in any of Her Majesty's Courts of Justice, or before any person having, by law, or by consent of parties, authority to hear, receive, and examine evidence with respect to or concerning any suit, action, or other proceeding in any of such Courts, the parties thereto, and the persons in whose behalf any such suit, action, or other proceeding may be brought or defended, shall, except as hereinafter excepted, be competent and compellable to give evidence, either *visâ voce*, or by deposition, according to the practice of the Courts, on behalf of either or any of the parties to the said suit, action, or other proceeding.

III. But nothing herein contained shall render any person, who in any criminal proceeding is charged with the commission of any indictable offence, or any offence punishable on summary conviction, competent or compellable to give evidence for or against himself or herself, or shall render any person compellable to answer any question tending to criminate himself or herself, or shall in any criminal proceeding render any husband competent or compellable to give evidence for or against his wife, or any wife competent or compellable to give evidence for or against her husband.

IV. Nothing herein contained shall apply to any action, suit, or proceeding in any Court of Common Law, or in any Ecclesiastical Court, instituted in consequence of adultery, or to any action for breach of promise of marriage.

V. Nothing herein contained shall repeal any provision contained in Act XXV. of 1838.

VI. Whenever any action or other legal proceeding shall henceforth be pending in any of Her Majesty's Courts, such Court and each of the Judges thereof may respectively, on application made for such purpose by either of the litigants, compel the opposite party to allow the party making the application to inspect all documents in the custody or under the control of such opposite party relating to such action or other legal proceeding,

and, if necessary, to take examined copies of the same, or to procure the same to be duly stamped, in all cases in which, previous to the passing of this Act, a discovery might have been obtained by filing a bill, or by any other proceeding in a Court of Equity at the instance of the party so making application as aforesaid to the said Court or Judge. Provided always, that every such application shall be made as aforesaid before issue joined in any such action, and twenty-one days before the trial or hearing of any other legal proceeding.

VII. All proclamations, treaties, and other Acts of State of any Foreign State, or of the East India Company, or of any Territory under the Government of the East India Company, or of any British Colony, and all judgments, decrees, orders, and other judicial proceedings of any Court of Justice in any Foreign State, or in any of the territories under the Government of the East India Company, or in any British Colony, and all affidavits, pleadings, and other legal documents filed or deposited in any such Court, may be proved in any of Her Majesty's Courts of Justice, or before any person having, by law or by consent of parties, authority to hear, receive, and examine evidence as aforesaid, either by examined copies, or by copies authenticated as herein-after mentioned; that is to say, if the document sought to be proved be a Proclamation, Treaty, or other Act of State, the authenticated copy to be admissible in evidence must purport to be sealed with the Seal of the Foreign State, or of the East India Company, or of the Territory under the Government of the East India Company, or of the British Colony to which the original document belongs; and if the document sought to be proved be a judgment, decree, order, or other judicial proceeding of any Foreign or Colonial Court, or of any Court within the Territories under the Government of the East India Company, or an affidavit, pleading, or other legal document filed or deposited in any such Court, the authenticated copy, to be admissible in evidence, must purport either to be sealed with the Seal of the Foreign or Colonial Court, or Court within the Territories under the Government of the East India Company to which the original document belongs, or, in the event of such Court having no Seal, to be signed by the Judge, or if there be more than one Judge, by any one of the Judges of the said Court, and such Judge shall attach to his signature a statement in writing on the said copy that the Court whereof he is a Judge has no Seal; but if any of the aforesaid authenticated copies shall purport to be sealed or signed as hereinbefore respectively directed, the same shall respectively be admitted in evidence in every case in which the original document could have been received in evidence, without any proof of the Seal, where a Seal is necessary, or of the signature, or of the truth of the statement attached thereto, where such signature or statement is necessary, or of the judicial character of the person appearing to have made such signature and statement.

VIII. Every Register of a Vessel kept under Act X. of 1841, or under any of the Acts of Parliament relating to the registry of British Vessels, may be proved in any of Her Majesty's Courts of Justice, or before any person having, by law or by consent of parties, authority to hear, receive, and examine evidence as aforesaid, either by the production of the original, or by an examined copy thereof, or by a copy thereof purporting to be certified under the hand of the person having the charge of the original, and which person is hereby required to furnish such certified copy to any person applying at a reasonable time for the same, upon payment of the sum of one

Foreign and Colonial Acts of State, judgments, &c. provable by certified copies without proof of seal or signature, or judicial character of person signing the same.

Parties to be admissible witnesses.

Parties criminally charged not compellable to criminate themselves. Husband and wife not compellable to give evidence for or against each other.

Act not to apply to proceedings for adultery or to actions for breach of promise of marriage.

The Wills Act not repealed.

Registers of British Vessels and Certificates of Registry admissible without proof of signature.

Rupee; and every such Register, or such copy of a Register, and also every Certificate of registry granted under the said Act, or any of the Acts of Parliament relating to the registry of British Vessels, and purporting to be signed as required by law, shall be received in evidence in any of Her Majesty's Courts of Justice, or before any person having by law or by consent of parties authority to hear, receive, and examine evidence as aforesaid, as *prima facie* proof of all the matters contained or recited in such Register, when the Register or such copy thereof as aforesaid is produced, and of all the matters contained or recited in or endorsed on such Certificate of registry when the said Certificate is produced.

IX. Whenever in any proceeding whatever it may be necessary to prove the trial and conviction or acquittal of any person charged with any indictable offence, it shall not be necessary to produce the record of the conviction or acquittal of such person, or a copy thereof, but it shall be sufficient that it be certified or purport to be certified under the hand of the Clerk of the Court, or other Officer having the custody of the records of the Court where such conviction or acquittal took place, or by the Deputy of such Clerk or other Officer, that the paper produced is a copy of the record of the indictment, trial, conviction, and judgment or acquittal, as the case may be, omitting the formal parts thereof.

X. Whenever any book or other document is of such a public nature as to be admissible in evidence on its mere production from the proper custody, and no statute or Act exists which renders its contents provable by means of a copy, any copy thereof, or extract therefrom, shall be admissible in evidence in any of Her Majesty's Courts of Justice, or before any person now or hereafter having, by law or by consent of parties, authority to hear, receive, and examine evidence as aforesaid; provided it be proved to be an examined copy or extract, or provided it purports to be signed and certified as a true copy or extract by the Officer to whose custody the original is entrusted, and which Officer is hereby required to furnish such certified copy or extract to any person applying at a reasonable time for the same, upon payment of a reasonable sum for the same, not exceeding four annas for every folio of ninety words.

XI. If any officer authorized or required by this Act to furnish any certified copies or extracts shall wilfully certify any document as being a true copy or extract, knowing that the same is not a true copy or extract, as the case may be, he shall be guilty of a misdemeanor, and be liable, upon conviction, to imprisonment for any term not exceeding eighteen months.

XII. All Her Majesty's Courts within the British Territories under the Government of the East India Company, and every Judge and Justice of such Courts, and every Officer, Commissioner, Arbitrator, or other person, now or hereafter having, by law or by consent of parties, authority to hear, receive, and examine evidence with respect to or concerning any suit, action, or other proceeding in any of such Courts, is hereby empowered to administer an oath to all such witnesses as are legally called before them respectively.

XIII. If any person shall forge the seal, stamp, or signature of any document in this Act mentioned or referred to, or shall tender in evidence any such document with a false or counterfeit seal, stamp, or signature thereof, knowing the same to be false or

counterfeit, he shall be guilty of felony, and shall, upon conviction, be liable to transportation for seven years, or to imprisonment for any term not exceeding three years, nor less than one year, with hard labour; and whenever any such document shall have been admitted in evidence by virtue of this Act, the Court, or the person who shall have admitted the same, may, at the request of any party against whom the same is so admitted in evidence, direct that the same shall be impounded and be kept in the custody of some officer of the Court or other proper person, for such period, and subject to such conditions, as to the said Court or person shall seem meet; and every person who shall be charged with committing any felony under this Act may be dealt with, indicted, tried, and, if convicted, sentenced, and his offence may be laid and charged to have been committed in the place in which he shall be apprehended or be in custody; and every accessory before or after the fact to any such offence may be dealt with, indicted, tried, and, if convicted, sentenced, and his offence may be laid and charged to have been committed in any place in which the principal offender may be tried.

XIV. This Act shall come into operation on the \_\_\_\_\_ day of \_\_\_\_\_ in the year 1852.

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

Ordered, that the said Draft be re-considered at the first Meeting of the Legislative Council of India after the 9th day of March next.

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

FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,  
the 9th January 1852.

The following Draft of a proposed Act was read in Council for the first time on the 9th of January 1852.

ACT No. — of 1852.

*An Act for further improving the Administration of Criminal Justice in Her Majesty's Courts of Justice in the Territories of the East India Company.*

Whereas offenders frequently escape conviction on their trials, by reason of the technical strictness of criminal proceedings in matters not material to the merits of the case; and whereas such technical strictness may safely be relaxed in many instances, so as to insure the punishment of the guilty, without depriving the accused of any just means of defence; and whereas a failure of justice often takes place on the trial of persons charged with felony and misdemeanor by reason of variances between the statement in the indictment on which the trial is had, and the proof of names, dates, matters, and circumstances therein mentioned, not material to the merits of the case, and by the misstatement whereof the person on trial cannot have been prejudiced in his defence, It is hereby enacted as follows:

I. From and after the coming of this Act into operation, whenever, on the

The Court may amend certain variances not material to the merits of the case, and by which the defendant cannot be prejudiced in his defence, and may either proceed with or postpone the trial to be had before the same or another Jury.

trial of any indictment for any felony or misdemeanor, there shall appear to be any variance between the statement in such indictment and the evidence offered in proof thereof, it shall and may be lawful for the Court before

which the trial shall be had, if it shall consider such variance not material to the merits of the case, and that the defendant cannot be prejudiced thereby in his defence on such merits, to order such indictment to be amended, according to the proof, by some officer

of the Court, or other person, both in that part of the indictment where such variance occurs, and in every other part of the indictment which it may become necessary to amend, on such terms as to postponing the trial to be had before the same or another jury, as such Court shall think reasonable; and after any such amendment the trial shall proceed, whenever the same shall be proceeded with, in the same manner in all respects, and with the same consequences, both with respect to the liability of witnesses to be indicted for perjury and otherwise, as if no such variance had occurred: provided that, in all such cases where the trial shall be so postponed as aforesaid, it shall be lawful for such Court to respite the recognizances of the prosecutor and witnesses, and of the defendant, and his surety or sureties, if any, accordingly, in which case the prosecutor and witnesses shall be bound to attend to prosecute and give evidence respectively, and the defendant shall be bound to attend to be tried, at the time and place to which such trial shall be postponed, without entering into any fresh recognizances for that purpose, in such and the same manner as if they were originally bound by their recognizances to appear and prosecute, or give evidence, at the time and place to which such trial shall have been so postponed; provided also, that where any such trial shall be to be had before another jury, the crown and the defendant shall respectively be entitled to the same challenges as they were respectively entitled to before the first jury was sworn.

II. Every verdict and judgment which shall be given after the making of any amendment under the provisions of this Act, shall be of the same force and effect, in all respects as if the indictment had originally been in the same form in which it was after such amendment was made.

III. If it shall become necessary at any time, for any purpose whatsoever, to draw up a formal record in any case where any amendment shall have been made under the provisions of this Act, such record shall be drawn up in the form in which the indictment was after such amendment was made, without taking any notice of the fact of such amendment having been made.

IV. In any indictment for murder or manslaughter preferred after the coming of this Act into operation, it shall not be necessary to set forth the manner in which, or the means by which, the death of the deceased was caused, but it shall be sufficient, in every indictment for murder, to charge that the defendant did feloniously, wilfully, and of his malice aforethought, kill and murder the deceased, and it shall be sufficient in every indictment for manslaughter to charge that the defendant did feloniously kill and slay the deceased.

V. In any indictment for forging, uttering, stealing, embezzling, destroying, or concealing, or for obtaining by false pretences, any instrument, it shall be sufficient to describe such instrument by any name or designation by which the same may be usually known, or by the purport thereof, without setting out any copy or fac-simile thereof, or otherwise describing the same, or the value thereof.

VI. In any indictment for engraving, or making the whole or any part of any instrument, matter, or thing whatsoever, or for using, or having the unlawful possession of any plate, or other material upon which the whole or any part of any instrument, matter, or thing whatsoever shall have been engraved

or made, or for having the unlawful possession of any paper upon which the whole or any part of any instrument, matter, or thing whatsoever shall have been made or printed, it shall be sufficient to describe such instrument, matter, or thing by any name or designation by which the same may be usually known, without setting out any copy or fac-simile of the whole or any part of such instrument, matter, or thing.

VII. In all other cases, wherever it shall be necessary to make any averment in any indictment as to any instrument, whether the same consists wholly or in part of writing, print, or figures, it shall be sufficient to describe such instrument by any name or designation by which the same may be usually known, or by the purport thereof, without setting out any copy or fac-simile of the whole or any part thereof.

VIII. From and after the coming of this Act into operation, it shall be sufficient in any indictment for intent to defraud particular persons need not be alleged or proved in cases of forging, uttering, offering, forgery, uttering, or false pretences, disposing of, or putting off any instrument whatsoever, or for obtaining, or attempting to obtain, any property by false pretences, to allege that the defendant did the act with intent to defraud, without alleging the intent of the defendant to be to defraud any particular person; and on the trial of any of the offences in this Section mentioned, it shall not be necessary to prove an intent on the part of the defendant to defraud any particular person, but it shall be sufficient to prove that the defendant did the act charged with an intent to defraud.

IX. And whereas offenders often escape conviction by reason that such a party indicted for felony or misdemeanor may be found guilty of an attempt to commit the same, and shall be liable to the same consequences as if charged with and convicted of the attempt only. No person so tried to be afterwards prosecuted for the same.

It shall appear to the jury upon the evidence that the defendant did not complete the offence charged, but that he was guilty only of an attempt to commit the same, such person shall not by reason thereof be entitled to be acquitted, but the jury shall be at liberty to return as their verdict that the defendant is not guilty of the felony or misdemeanor charged, but is guilty of an attempt to commit the same, and thereupon such person shall be liable to be punished in the same manner as if he had been convicted upon an indictment for attempting to commit the particular felony or misdemeanor charged in the said indictment; and no person so tried as herein lastly mentioned shall be liable to be afterwards prosecuted for an attempt to commit the felony or misdemeanor for which he was so tried.

X. And whereas it is enacted by the 8th Section of Act XXXI. of 1838 that "on the trial of any person for any of the offences therein-before mentioned, or for any felony whatever where the crime charged shall include an assault against the person, it shall be lawful for the jury to acquit of the felony, and to find a verdict of guilty of assault against the person indicted, if the evidence shall warrant such finding"; and whereas great difficulties have arisen in the construction of such enactment: for remedy thereof, It is enacted, that the said enactment shall be and the same is hereby repealed.

XI. If upon the trial of any person upon any indictment for robbery, it shall appear to the jury upon the evidence that the

On the trial of an indictment for robbery, the jury may convict of an assault

indictment for robbery, it shall appear to the jury upon the evidence that the



with intent to rob; no person so tried to be afterwards prosecuted for the same. defendant did not commit the crime of robbery, but that he did commit an assault with intent to rob, the defendant shall not by reason thereof be entitled to be acquitted, but the jury shall be at liberty to return as their verdict that the defendant is guilty of an assault with intent to rob, and thereupon such defendant shall be liable to be punished in the same manner as if he had been convicted upon an indictment for feloniously assaulting with intent to rob; and no person so tried as is herein lastly mentioned shall be liable to be afterwards prosecuted for an assault with intent to commit the robbery for which he was so tried.

XII. If upon the trial of any person for any misdemeanor, it shall appear that the facts given in evidence amount in law to a felony, such person shall not by reason thereof be entitled to be acquitted of such misdemeanor; and no person tried for such misdemeanor shall be liable to be afterwards prosecuted for felony on the same facts, unless the Court before which such trial may be had shall think fit, in its discretion, to discharge the jury from giving any verdict upon such trial, and to direct such person to be indicted for felony, in which case such person may be dealt with in all respects as if he had not been put upon his trial for such misdemeanor.

XIII. If upon the trial of any person indicted for embezzlement, as a clerk, servant, or person employed for the purpose, or in the capacity of a clerk or servant, it shall be proved that he took the property in question in any such manner as to amount in law to larceny, he shall not by reason thereof be entitled to be acquitted, but the jury shall be at liberty to return as their verdict that such person is not guilty of embezzlement, but is guilty of simple larceny, or of larceny as a clerk, servant, or person employed for the purpose, or in the capacity of a clerk or servant, as the case may be, and thereupon such person shall be liable to be punished in the same manner as if he had been convicted upon an indictment for such larceny; and if upon the trial of any person indicted for larceny it shall be proved that he took the property in question in any such manner as to amount in law to embezzlement, he shall not by reason thereof be entitled to be acquitted, but the jury shall be at liberty to return as their verdict that such person is not guilty of larceny, but is guilty of embezzlement, and thereupon such person shall be liable to be punished in the same manner as if he had been convicted upon an indictment for such embezzlement; and no person so tried for embezzlement or larceny as aforesaid shall be liable to be afterwards prosecuted for larceny or embezzlement upon the same facts.

XIV. If upon the trial of two or more persons jointly receiving, persons indicted for jointly receiving, persons guilty of separately receiving shall be proved that one or more of such persons separately received any part of such property, it shall be lawful for the jury to convict upon such indictment such of the said persons as shall be proved to have received any part of such property.

XV. And whereas it frequently happens that the principal in a felony is not in custody, or amenable to justice, although several accessories to such felony or receivers at different times of stolen property the subject of such felony may be in custody or amenable to justice: for the prevention of several trials, it is enacted that any

number of such accessories or receivers may be charged with substantive felonies in the same indictment, notwithstanding the principal felon shall not be included in the same indictment, or shall not be in custody, or amenable to justice.

XVI. It shall be lawful to insert several counts in the same indictment against the same person for any number of distinct acts of stealing, not exceeding three, which may have been committed by him against the same person within the space of six calendar months from the first to the last of such acts, and to proceed thereon for all or any of them.

XVII. If upon the trial of any indictment for larceny, it shall appear that the property alleged in such indictment to have been stolen at one time was taken at different times, the prosecutor shall not by reason thereof be required to elect upon which taking he will proceed, unless it shall appear that there were more than three takings, or that more than the space of six calendar months elapsed between the first and the last of such takings; and in either of such last mentioned cases, the prosecutor shall be required to elect to proceed for such number of takings, not exceeding three, as appear to have taken place within the period of six calendar months from the first to the last of such takings.

XVIII. In every indictment in which it shall be necessary to make any averment as to any money or any note of any bank, it shall be sufficient to describe such money or bank note simply as money, without specifying any particular coin or bank note; and such allegation, so far as regards the description of the property, shall be sustained by proof of any amount of coin or of any bank note, although the particular species of coin of which such amount was composed, or the particular nature of the bank note, shall not be proved; and in cases of embezzlement, and obtaining money or bank notes by false pretences, by proof that the offender embezzled or obtained any piece of coin, or any bank note, or any portion of the value thereof, although such piece of coin or bank note may have been delivered to him in order that some part of the value thereof should be returned to the party delivering the same, or to any other person, and such part shall have been returned accordingly.

XIX. In every indictment for perjury, or for unlawfully, wilfully, falsely, fraudulently, deceitfully, maliciously, or corruptly taking, making, signing, or subscribing any oath, affirmation, affidavit, deposition, bill, answer, notice, certificate, or other writing, it shall be sufficient to set forth the substance of the offence charged upon the defendant, and by what Court or before whom the oath, affirmation, declaration, affidavit, deposition, bill, answer, notice, certificate, or other writing was taken, made, signed, or subscribed, without setting forth the bill, answer, information, indictment, declaration, or any part of any proceeding, either in law or in equity, and without setting forth the commission or authority of the Court or person before whom such offence was committed.

XX. In every indictment for subornation of perjury, or for corrupt bargaining, or for contracting with any person to commit wilful and corrupt perjury, or for inciting, causing, or procuring any person unlawfully, wilfully, falsely, fraudulently, deceitfully, maliciously, or corruptly to take, make, sign, or subscribe any oath, affirmation, declaration, affidavit, deposition, bill, answer, notice, certificate, or other writing, it shall be sufficient, wherever such perjury or other offence aforesaid shall have been actually committed, to allege the offence

Three larcenies from the same person within six months may be included in the same indictment.

Where a single taking is charged, the prosecutor need not elect, unless where more than three takings, or more than six months between the first and last taking.

Coin and bank notes may be described simply as money.

Simplifying indictments for perjury and other like offences.

As to form of indictments for subornation of perjury, and other like offences.

Separate accessories and receivers may be included in the same indictment in the absence of the principal felon.

of the person who actually committed such perjury or other offence in the manner hereinbefore mentioned, and then to allege that the defendants unlawfully, wilfully, and corruptly did cause and procure the said person the said offence, in manner and form aforesaid, to do and commit; and wherever such perjury or other offence aforesaid shall not have been actually committed, it shall be sufficient to set forth the substance of the offence charged upon the defendant, without setting forth or averring any of the matters or things hereinbefore rendered unnecessary to be set forth or averred in the case of wilful and corrupt perjury.

XXI. No indictment for any offence shall be held insufficient for want of the avrment of any matter unnecessary to be proved, nor for the omission of the words "as appears by the record," or of the words "with force and arms," or of the words "against the peace," nor for the insertion of the words "against the form of the statute," instead of "against the form of the statutes," or *vice versa*, nor for that any person mentioned in the indictment is designated by a name of office, or other descriptive appellation, instead of his proper name, nor for omitting to state the time at which the offence was committed in any case where time is not of the essence of the offence, nor for stating the time imperfectly, nor for stating the offence to have been committed on a day subsequent to the finding of the indictment, or on an impossible day, or on a day that never happened, nor for want of a proper or perfect venue, nor for want of a proper or formal conclusion, nor for want of or imperfection in the addition of any defendant, nor for want of the statement of the value or price of any matter or thing, or the amount of damage, injury, or spoil, in any case where the value or price, or the amount of damage, injury, or spoil, is not of the essence of the offence.

XXII. Every objection to any indictment for any formal defect apparent on the face thereof shall be taken, by demurrer or motion to quash such indictment, before the jury shall be sworn, and not afterwards; and every Court before which any such objection shall be taken for any formal defect may, if it be thought necessary, cause the indictment to be forthwith amended in such particular by some officer of the Court, or other person, and thereupon the trial shall proceed as if no such defect had appeared.

XXIII. No person prosecuted shall be entitled to traverse or postpone the trial of any indictment found against him at any Session of the Peace, Session of Oyer and Terminer, or Session of Gaol Delivery; provided always, that if the Court, upon the application of the person so indicted or otherwise, shall be of opinion that he ought to be allowed a further time, either to prepare for his defence or otherwise, such Court may adjourn the trial of such person to the next subsequent Session, upon such terms as to bail, or otherwise as to such Court shall seem meet, and may respite the recognizances of the prosecutor and witnesses accordingly, in which case the prosecutor and witnesses shall be bound to attend to prosecute and give evidence at such subsequent Session, without entering into any fresh recognizance for that purpose.

XXIV. In any plea of *autrefois convict* or *autrefois acquit* it shall be sufficient for any defendant to state that he has been lawfully convicted or acquitted (as the case may be) of the said offence charged in the indictment.

XXV. Whenever any person shall be convicted of any one of the offences following, as an indictable misdemeanour, that is to say, any cheat or fraud punishable at common law; any conspiracy to cheat or defraud, or to extort money or goods, or falsely

to accuse of any crime, or to obstruct, prevent, pervert, or defeat the course of public justice, any escape or rescue from lawful custody on a criminal charge; any public and indecent exposure of the person; any indecent assault, or any assault occasioning actual bodily harm; any attempt to have carnal knowledge of a girl under twelve years of age; any public selling, or exposing for public sale or to public view, of any obscene book, print, picture, or other indecent exhibition; it shall be lawful for the Court to sentence the offender to be imprisoned for any term now warranted by law, and also to be kept to hard labour during the whole or any part of such term of imprisonment.

XXVI. In the construction of this Act the word "indictment" shall be understood to include "information," "inquisition," and "presentment," as well as "indictment," and also any "plea," "replication," or other pleading; and the terms "finding of the indictment," shall be understood to include "the taking of an inquisition," "the exhibiting of an information," and "the making a presentment;" and wherever, in this Act, in describing or referring to any person or party, matter or thing, any word importing the singular number or masculine gender is used, the same shall be understood to include and shall be applied to several persons and parties as well as one person or party, and females as well as males, and bodies corporate as well as individuals, and several matters and things as well as one matter or thing; and the word "property" shall be understood to include goods, chattels, money, valuable securities, and every other matter or thing, whether real or personal, upon or with respect to which any offence may be committed.

XXVII. This Act shall come into operation on the first day of January one thousand eight hundred and fifty-two.

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 9th day of March next.

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

FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,  
the 16th January 1852.

The following Act is passed by the Hon'ble the President of the Council of India in Council, on the 16th January 1852, 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. III. of 1852.

*An Act to amend the Law relating to Spirituous and Intoxicating Liquors, Drugs, and Preparations within the Territories subordinate to the Presidency of Bombay.*

Whereas Chapters XI. and XII. of Regulation XXI. of 1827 of the Bombay Code have been found to be difficult of application in some parts of the territories subordinate to the Presidency of Bombay, owing to local and peculiar causes; It is enacted as follows:

1. The Governor of Bombay in Council may introduce into any part of the said territories such arrangements for the assessment and collection of the revenue derivable from the manufacture and retail sale of spirits, as local circumstances in each case, in the judgment of the said Governor in Council, may re-

quire, the same not being inconsistent or incompatible with the provisions of this Act.

II. The licences mentioned in Section LVIII. Clause 1, Regulation XXI. of 1827 of the Bombay Code may be granted by the Collector at his discretion for the manufacture of spirits at any place within his Collectorate, whether a sudder distillery be there established or not.

III. It shall not be imperative on the Collector to accept the highest offer for the farm of the Abkaree duties under Section LX. Clause 2, Regulation XXI. of 1827 of the said Code, but the Collector shall be at liberty to use his discretion as to the tender he will accept under the general instructions of Government.

IV. No person shall directly or indirectly retail in the said territories spirits, however or wheresoever manufactured, except under the authority of a licence from the Collector, to be granted in the form of Appendix I. to the said Regulation XXI. of 1827, or in such form, and after payment of such fee, as Government may from time to time appoint.

V. Spirits may be manufactured in the said territories for exportation, or removal under a licence from the Collector, but not otherwise; and such licence, when granted, shall specify the spirit so authorized to be manufactured, the place at which, and the period for which, the manufacture may be carried on, and that the same is permitted for the purpose of removal or exportation only.

VI. Spirits manufactured under the last Section shall not exceed the strength which may, from time to time, be declared by public notification in each district, and shall be liable to the payment of such duty as the Governor in Council shall, from time to time, impose. Liquor found to exceed the prescribed standard shall be liable to double duty, or confiscation, at the discretion of the Collector.

VII. Spirits manufactured under the fifth Section of this Act, shall not be removed from the place of manufacture, except under a pass from the Collector, certifying the payment of the aforesaid duty, and specifying the name of the person exporting or removing the same, the quantity of spirits, their destination, the route by which they are to be conveyed, and the dates from and to which the pass shall be in force, which pass shall exempt the spirits lawfully removed under it from the payment of any further duty in their progress through the same territories, excepting always such import or Customs duty, if any, as may be payable at the place of their destination under any Act or Regulation now or hereafter to be in force.

VIII. The Collector may place such establishments on the premises where the manufacture of spirits for exportation or removal is permitted, and may adopt such other precautions as may be necessary to give effect to the provisions of this Act having reference thereto.

IX. Spirits imported by land from any part of the territories of the East India Company, whether subordinate to the Government of Bombay or not, into any other part of the said territories subordinate to the said Government, shall be liable on importation to the same rate of duty under the same circumstances and rules as are provided in Section XX. of Act No. I. of 1852, for amending the Customs laws of the Bombay Presidency with respect to spirits imported by sea.

X. It shall not be lawful in any part of the territories subject to the Government of Bombay to manufacture or prepare for sale, or sell directly or indirectly, any intoxicating drugs or materials, or any intoxicating drink or preparation manufactured from Bhang, Ganja, Grain, Opium, or other materials, of what nature or description soever, except under a licence from the Collector of the zillah, and it shall be

competent to the Collector to refuse, or to recall such licence whenever he shall deem it expedient, and every such licence when granted shall specify the name of the drug, material, drink, or preparation so authorized to be manufactured or sold, the place or district of manufacture or sale, and the length of time for which such licence is to run, and any other terms or conditions which the Governor of Bombay in Council may, from time to time, deem it expedient to require, and such fees shall be demanded, from time to time, on the grant of such licences, as the said Governor in Council may sanction.

XI. It shall not be lawful to mix any noxious drug or material in, or by other process to adulterate spirits manufactured under the provisions of the said Regulation XXI. of 1827, or of this Act.

XII. All persons offending against, or aiding others in offending directly or indirectly, against any of the provisions of this Act, or committing a breach of any of the conditions of a licence to be granted under this Act, or obstructing Officers or others in the execution of their duties connected with any of its provisions, shall be punished by fine not exceeding Rupees five hundred, to be commuted, in default of payment, to imprisonment not exceeding six months; and any person having in his possession intoxicating drinks or preparations manufactured contrary to the provisions of this Act, or for which he is unable satisfactorily to account, shall be deemed to be possessed of them illegally, and shall be subject to the penalties above specified.

XIII. The powers conferred on the Collector by Chapter XIII. of the said Regulation XXI. of 1827, shall extend and be applicable to the provisions of this Act, so far as the same are capable of being so applied.

XIV. The Collector shall have full powers to seize and destroy all unlicensed liquor, preparations, drugs, or materials, and all unlicensed stills, and to sell the same, if deemed expedient, on behalf of Government.

XV. The duties, powers, and authorities hereby vested in the Collector shall devolve upon, and may be lawfully exercised by the Officer specially appointed under Section LV. of the said Regulation XXI. of 1827, for the purposes herein mentioned.

XVI. The powers vested in the Collectors of Land Revenue by Chapter XIII. of the said Regulation XXI. of 1827, and by Sections XII., XIII., and XIV. of this Act, may be exercised by Mamludars and Mahalkurrees; provided always, that those Officers shall not be authorized to adjudge any fine exceeding Rupees fifteen in amount, commutable, in default of payment, to twenty days' imprisonment; and provided further, that any order passed by a Mamludar or Mahalkurree in virtue of this Act shall be subject to appeal to the Collector or his Assistants, within one month from its date, and that no suit for damages shall be instituted in a Civil Court by persons deeming themselves aggrieved by any proceeding of a Mamludar or Mahalkurree under the authority of this Act, unless they shall first have made an appeal to the Collector or his Assistants.

XVII. In all actions or Civil suits which may be brought against Collectors, Magistrates, or others for acts done by them in carrying out the provisions of this Act, or the provisions of the said Regulation XXI. of 1827, if it shall appear at the trial that the act complained of was done *bona fide*, and that there were reasonable and probable grounds for the same, the plaintiff shall be nonsuited, with full costs to be paid by him.

XVIII. This Act shall not have effect within the local jurisdiction of Her Majesty's Supreme Court.

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

FORT WILLIAM,  
HOME DEPARTMENT,  
LEGISLATIVE,

the 16th January 1852.

The following Act is passed by the Hon'ble the President of the Council of India in Council, on the 16th January 1852, 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. IV. OF 1852.

An Act to amend the Law relating to Emigrant Vessels and the Emigration of Labourers.

Whereas by Section VIII. Act XXI. of 1844, it was among other things enacted, that no ship or vessel carrying emigrant labourers to Jamaica, British Guiana, or Trinidad should sail from Calcutta, Madras, or Bombay, at any other time than between the 30th day of any September and the 1st of March next thereafter ensuing; and whereas the said provision was repealed by Act XXV. of 1845, so far as regarded vessels carrying emigrant labourers from Madras, and has been found inconvenient for vessels carrying emigrant labourers from Calcutta; and whereas it is expedient to amend the law relating to the height between decks in emigrant vessels; and whereas by Section I. Act XXI. of 1843, it was enacted, that emigration to Mauritius should only lawfully take place under the provisions of Act XV. of 1842, from the Port of Calcutta; and whereas by Act VIII. of 1847, the emigration of labourers from the Port of Madras to Mauritius was declared lawful, and it is now expedient to repeal Section I. Act XXI. of 1843, and to render lawful the emigration of labourers from the Port of Bombay to Mauritius, It is enacted as follows:

I. So much of Act XXI. of 1844, as is hereinbefore recited, is repealed, so far as regards ships or vessels carrying emigrant labourers from Calcutta.

II. No ships or vessels carrying emigrant, labourers to Jamaica, British Guiana, or Trinidad, shall sail from Calcutta at any other time than between the thirty-first day of any August and the 1st day of March next thereafter ensuing.

III. No ship or vessel carrying emigrants and having more than one deck, shall have less than the height of five feet and six inches at the least between decks, and in case such ship or vessel shall have only one deck, a platform shall be laid beneath such deck, in such manner as to afford a space of the height of five feet and six inches at the least, and such platform shall not be so laid as that the lower beams shall project above the same; and whatever may be the tonnage of the ship or vessel, no greater number of emigrant labourers shall be taken on board such ship or vessel than shall be after the rate of one emigrant labourer for every seventy-two cubic feet of space between decks, or between the deck and platform, unoccupied by goods or stores, not being the personal luggage of such emigrant labourers, anything in Act XV. of 1842, or in the Schedule therein mentioned, to the contrary notwithstanding.

IV. Section I. Act XXI. of 1843 is hereby repealed, and from and after the passing of this Act, emigration to Mauritius may lawfully take place under the provisions of Act XV. of 1842 from the Port of Bombay, as well as from the Ports of Madras and Calcutta.

V. The Governor in Council of Bombay may nominate a proper person to act as Protector of Emigrants at Bombay, and no emigrant shall be permitted to embark without a certificate from the Agent appointed by the Government of Mauritius, counter-

signed by the Protector, to the effect that such person has been engaged by such Agent, on the part of the said Government, as an emigrant to Mauritius.

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

**Wanted,**

In the Office of the Commissioner in Scinde, a Persian Translator, Salary Rupees 80. The incumbent must be qualified to translate Persian papers into intelligible English, and must possess a knowledge of the Persian language sufficiently critical to enable him to translate English documents into correct and good Persian. Applicants to forward their testimonials either to A. Richardson, Esq., Deputy Secretary to Government, Bombay, or to the Commissioner in Scinde, Kurrachee.

**Notice**

Is hereby given, that (3) three Elephants, the property of Government, lately received from the Baggage Corps, will be sold by Public Auction in the Town of Hyderabad, on the 15th proximo, precisely at 5 o'clock p. m. A descriptive Roll of the Elephants is herewith appended.

H. VINCENT, Captain,  
Sub-Assistant Commissary General.

Hydrabad, Commissariat Office,  
23rd January 1852.

*Descriptive Roll of Government Elephants, to be disposed of by the Commissariat at Hydrabad, Scinde, on the 15th February 1852.*

*Camp, Hydrabad, 3rd January 1852.*

Names.	Sex.	Age.	Height.		Country.	Length of Tusk.	Remarks.
			Feet.	Inch.			
Goolala . . .	Male	35 years	9	8	Nepaul.	2 feet 7 inches.	} The 3 Elephants in very good condition, with one Howdah, Silk Cushion, &c.
Gungah . . .	Female	28 "	8	6	"	No Tusk.	
Lutchmee . .	"	34 "	8	8	"	Small do.	

(Signed) R. T. MAUGHAN, Major,  
Late Commanding Baggage Corps.

(True Copy.)

H. VINCENT, Captain,  
Sub-Assistant Commissary General.

*REGISTER of Sums deposited in the General Treasury at Bombay, on account of the Estates of deceased Officers and Seamen of the  
Indian Navy, for the Month of December 1851.*

Date of Deposits.	Amount of Deposits.	By whom deposited.	On account of whose Estates.	Number.	Rank.	What Vessel or Ship.	Date of Decease.	Appropriation of the Amount deposited.	Remarks as to whom and when paid, and, if retained, on what ground.
								Paid to Claimant in India.	
1851 Dec. 1st	<i>Rs. a. p.</i> 96 7 11	Lieutenant T. W. Aylesbury, President of the Committee of Adjustment.	Thomas Russell...	3202	Boatswain's Mate.	H. C. S. F. "Zenobia" ..	1851 October 20th	<i>Rs. a. p.</i>	
" 10th	530 13 3	Mr. R. Taynton, Purser of the Honorable Company's Receiving Ship "Hastings."	R. W. Fleming....	.....	1st Cl. Engineer.	H. C. R. S. "Hastings" ..	" 16th	530 13 3	Paid Mrs. Mackinlay and Mr. Laughlin on the 7th Jan. 1852, as per M. S. letter of the 5th Jan. 1852.
	126 9 0	Ditto ditto.....	C. Crosse.....	.....	A. B.....	Do.....	November 3rd		
	<u>753 14 2</u>							<u>530 13 3</u>	

N. B.—All applications connected with the Estates of deceased Officers and Seamen of the Indian Navy are to be preferred to the Secretary to Government in the Military Department.

*Bombay, Accountant General's Office, 23rd January 1852.*

(Errors excepted)

E. E. ELLIOT, *Accountant General.*

*REGISTER of Sums deposited in the General Treasury at Bombay, on account of the Estates of deceased European Commissioned, Non-Commissioned, and Warrant Officers and Soldiers, in the Service of the Honorable Company, for the Month of December 1851.*

Date of Deposits.	Amount of Deposits.	By whom deposited.	On account of whose Estates.	General Number.	Rank.	Corps.
1851	<i>Rs. a. p.</i>					
December 3rd	671 4 10	Military Secretary to Government.....	— Prother.....		Captain.....	27th Regt. N. I.
" 17th	395 15 2	Major A. S. Hawkins, Commanding 8th Regt. N. I.....	John Young.....		Assistant Surgeon.....	Of the B. Estabt.
" 18th	47 10 2	Lieutenant C. B. Fuller, Commanding 1st Company 1st Battalion Artillery.	Edward Porter.....		Gunner.....	1st Co. 1st Bn. Arty.
" 19th	86 4 0	The Accountant General and Sub-Treasurer.....	James Burnes.....		Sub-Conductor.	
" 18th	68 12 0	Ditto ditto.....	Robert McGuffie.....		Conductor.	
" 19th	68 12 0	Ditto ditto.....	William Grady.....		Serjeant.	
" 23rd	1983 3 0	Military Secretary to Government.....	G. Mayor.....		Lieutenant.....	25th Regt. N. I.
" 27th	1057 11 11	Captain H. M. Evans, President of the Committee of Adjustment.	Thomas Channing.....		Conductor.....	Ord. Depart.
" "	66 7 7	Lieutenant J. G. Petrie, Paymaster 1st Battalion Artillery.	William Smythe.....	1580	Bombardier.....	1st Co. 1st Bn. Arty.
" 31st	450 0 0	Military Secretary to Government.....	William Grady.....		Serjeant.	
" "	453 5 4	Ditto ditto.....	Robert McGuffie.....		Conductor.	
" "	531 4 0	Ditto ditto.....	James Burnes.....		Sub-Conductor.	
	5880 10 0					

N. B.—All applications connected with the Estates of deceased Officers and Soldiers of the Army are to be preferred to the Secretary to Government in the Military Department.

*Bombay, Accountant General's Office, 23rd January 1852.*

(Errors excepted)

E. E. ELLIOT, *Accountant General.*

**BOMBAY PRICE CURRENT**

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

ARTICLES.		PRICES.	ARTICLES.		PRICES.	ARTICLES.		PRICES.
<b>BEEF.</b>			<b>PORK, FRESH &amp; SALT (continued).</b>			<b>SUGAR OF SORTS.</b>		
Prime pieces..... 1st sort	10 lbs.	1	Trotters, small..... per four.	1	Sugar, Pinfa..... per md. of 28 lbs	R. a. p.	5 12	
"..... 2nd do.	12 "	1	Pig's Liver & Heart.....	2	" Candy, 1st sort.....	"	4 12	
"..... 3rd do.	16 "	1	Pork, salt, country..... 8 lbs	4	"..... 2nd do.....	"	4 4	
Brisket and Round, 1st sort	12 "	1	<b>POULTRY.</b>			"..... 3rd do.....	"	4 4
"..... 2nd do.	14 "	1	Geese..... each	4	"..... soft, 1st do.....	"	4 4	
"..... 3rd do.	16 "	1	Turkey cock, Bombay.....	4	"..... 2nd do.....	"	2 14	
Meat for Soup..... 16 "	1	1	" hen.....	2	"..... brown.....	"	2 8	
Shin..... large..... each.	3	3	" cock, Goa.....	3	Jaggree.....	"	1 12	
"..... small.....	2	2	" hen.....	1	<b>GHEE OF SORTS.</b>			
Ox Tails.....	6	6	Fowls, large, Surat.....	8	Ghee, Kurrachie, per md. of 28 lbs.	R. a. p.	5 12	
Tongue..... large.....	3	3	" small.....	1	" Surat.....	"	5 12	
"..... small.....	2	2	" large, Bombay.....	8	" Bhowinggur.....	"	5 12	
Heart..... large.....	3	3	" small.....	6	" Balghanty.....	"	5 8	
"..... small.....	2	2	Ducks, large.....	6	" Ghanty.....	"	5 12	
Marrow-bone.....	1	1	" small.....	6	" Rajapoor.....	"	5 12	
Ox Palates.....	6	6	Chickens, large..... per dozen.	12	" Jafraabad.....	"	6 12	
Feet..... four.....	4	4	" small.....	12	<b>GRAIN OF SORTS.</b>			
Suet..... per lb.	4	4	Hens' Eggs..... each.	3	Wheat, Husia..... (pr. Cdy. of 5 pharas.	R. a. p.	20	
Tongues (salted, dry), Poon..... each.	5	5	Ducks'.....	3	" Jamboscer, 1st sort.....	"	17	
<b>VEAL, SMALL.</b>			<b>FRUITS OF SORTS.</b>			"..... 2nd do.....	"	16
Hind Quarter..... 1st sort	4 lbs.	1	Pine-apples, Bombay, large..... each.	1	"..... 1st do.....	"	15	
"..... 2nd do.	5 "	1	" small.....	12	"..... 2nd do.....	"	14	
"..... 3rd do.	6 "	1	" Goa..... large.....	4	" Ghantees.....	"	10	
Fore Quarter..... 1st do.	5 "	1	" small.....	3	" Sinee.....	"	14	
"..... 2nd do.	6 "	1	Pomeles..... large.....	12	" Gram, Jamboscer.....	"	20	
"..... 3rd do.	7 "	1	" small.....	8	" Ghogaree, new.....	"	16	
<b>VEAL, LARGE.</b>			Guavas..... large.....	8	"..... old.....	"	15 8	
Hind Quarter..... 1st sort	5 lbs.	1	" small.....	6	" Ghantees, new.....	"	17	
"..... 2nd do.	6 "	1	Oranges..... large.....	1	"..... old.....	"	10 8	
"..... 3rd do.	7 "	1	" small.....	9	Woorcel, Ghantees.....	"	14	
Fore Quarter..... 1st do.	6 "	1	" common.....	9	" Malabar.....	"	13	
"..... 2nd do.	7 "	1	Grapes, black..... per seer	4	" Cutch.....	"	13	
"..... 3rd do.	8 "	1	" green.....	1	" Ghogaree.....	"	15	
Head..... 1st do. each.	10	10	Melons, water, large..... each.	2	Mutt.....	"	13	
"..... 2nd do.	8	8	" small.....	1	" Ghantees.....	"	13	
"..... 3rd do.	6	6	" Musk, large.....	1	" Cutch.....	"	13	
Feet..... four.....	3	3	" small.....	1	Mugg.....	"	13	
Liver & Heart..... each	1	1	Plantains, red, large.....	8	" Ghogaree.....	"	13	
<b>MUTTON FOR EUROPEANS.</b>			" yellow, large.....	4	" Bazarree, Ghantees.....	"	12 8	
Saddle..... 1st sort per lb.	3	3	" small.....	3	" Bhowinggur, 1st sort.....	"	15	
"..... 2nd do.	2	2	Limes, sweet.....	8	"..... 2nd do.....	"	14	
"..... 3rd do.	1	1	" sour.....	1	" Rajapoor.....	"	12	
Leg, Loin, Neck, and Shoulder..... 1st do.	2	2	Potatoes, Nelgherries, large, per seer.	1	Barley..... new.....	"	12	
"..... 2nd do.	1	1	" small.....	10	"..... old.....	"	11	
"..... 3rd do.	1	1	" Mahabeshwar, large.....	8	Toor..... 1st sort.....	"	17	
Breast..... 1st do.	1	1	" small.....	4	"..... 2nd do.....	"	9	
"..... 2nd do.	1	1	" Poonna, large.....	4	Orange.....	"	9	
"..... 3rd do.	1	1	" small.....	4	" Nucheny.....	"	8	
Tongue, Sheep's..... each.	4	4	" Surat, large.....	4	" Vattuna.....	"	15	
Brains.....	4	4	" small.....	4	Chowley..... per phara	R. a. p.	2 8	
Head.....	1	1	Yams, white.....	6	Dall, Brouch.....	"	3 4	
Liver and Heart.....	1	1	" red.....	6	" Surat.....	"	3 12	
Kidneys.....	4	4	Onions.....	2	<b>UNBOILED RICE OF SORTS.</b>			
Feet..... four.....	4	4	Ginger.....	6	Rice, Putney..... per phara.	R. a. p.	1 14	
Suet..... per lb.	4	4	<b>DRY FRUITS OF SORTS.</b>			" Sinee, red.....	"	1 10
<b>MUTTON FOR NATIVES.</b>			Plums, fine..... per seer weight.	2	" raw.....	"	1 8	
First sort..... 12 lbs.	1	1	" coarse.....	2	<b>BEATEN RICE OF SORTS.</b>			
Second..... 14 "	1	1	Currants, fine.....	2	Rice, Jersaul, 1st sort..... per phara	R. a. p.	3 8	
Third..... 16 "	1	1	" coarse.....	2	"..... 2nd do.....	"	3 4	
<b>KID, SMALL.</b>			Prunes, new.....	1	" Vergole, 1st do.....	"	2 12	
Hind Quarter..... 1st sort	4 lbs.	1	" old.....	1	"..... 2nd do.....	"	2 8	
"..... 2nd do.	5 "	1	Almonds, sweet.....	1	" Sinee ratra.....	"	3 12	
"..... 3rd do.	6 "	1	" bitter.....	2	" Segandee.....	"	2 4	
Fore Quarter..... 1st do.	5 "	1	<b>BREAD, &amp; C.</b>			" raw.....	"	2 4
"..... 2nd do.	6 "	1	A loaf, 1st sort..... 13 oz. each.	1	<b>MANGALORE RICE OF SORTS.</b>			
"..... 3rd do.	7 "	1	" 2nd do..... 13 oz.	1	Rice, unboiled, 1st sort..... per robin.	R. a. p.	3 4	
Head, Feet, Liver, & Heart.....	4	4	" brown..... 32 oz.	2	"..... 2nd do.....	"	2 8	
<b>KID, LARGE.</b>			" 16 oz.	1	"..... 1st do.....	"	2 8	
Hind Quarter..... 1st sort	4 1/2 lbs.	1	Flour, wheat..... per seer measure.	3	"..... 2nd do.....	"	1 12	
"..... 2nd do.	5 "	1	Rolong.....	3	<b>BENGAL RICE OF SORTS.</b>			
"..... 3rd do.	5 1/2 "	1	Sago, fine..... weight.	1	Rice, unboiled, 1st sort..... per bag of 108 lbs.	R. a. p.	4 14	
Fore Quarter..... 1st do.	5 "	1	" coarse.....	1	"..... 2nd do.....	"	4 8	
"..... 2nd do.	6 "	1	Arrowroot, best.....	2	" boiled, 1st do.....	"	4 4	
"..... 3rd do.	7 "	1	" coarse.....	1	"..... 2nd do.....	"	4 4	
Head, Feet, Liver, & Heart.....	4	4	<b>MILK AND BUTTER.</b>			<b>BHATT.</b>		
<b>LAMB, SMALL.</b>			Cows' milk..... per seer measure.	1	Bhatt, Putney, per moora of 25 pharas.	R. a. p.	23	
Hind Quarter..... 1st sort	4 lbs.	1	" butter..... per cup of 2 oz.	1	" raw.....	"	21	
"..... 2nd do.	5 "	1	Buffaloes' milk..... per seer measure.	1	" red.....	"	19	
"..... 3rd do.	6 "	1	" butter..... per cup of 2 oz.	1	<b>SUNDRIES.</b>			
Fore Quarter..... 1st do.	5 "	1	<b>FIREWOOD.</b>			Saltpetre, Europe, per md. of 28 lbs.	R. a. p.	2 8
"..... 2nd do.	6 "	1	Babool, per caudy of 28 mds. 784 lbs.	2	" Bengal.....	"	3 8	
"..... 3rd do.	7 "	1	Khair.....	3	" Rajapoor.....	"	1 12	
<b>LAMB, LARGE.</b>			Aine.....	2	Pepper, black, 1st sort..... per seer.	"	1 6	
Hind Quarter..... 1st sort	5 lbs.	1	Kurmell.....	2	"..... 2nd do.....	"	1 3	
"..... 2nd do.	6 "	1	<b>OILS, CANDLES, AND SOAP.</b>			" white.....	"	3
"..... 3rd do.	7 "	1	Cocoonut oil, 1st sort, pr. ind. of 28 lbs.	2	Garlick, large.....	"	9	
Fore Quarter..... 1st do.	6 "	1	" 2nd do..... 13 oz.	2	" small.....	"	6	
"..... 2nd do.	7 "	1	" brown..... 32 oz.	2	Camphor..... per pound.	R. a. p.	8	
"..... 3rd do.	8 "	1	" 16 oz.	1	Salt, table..... per seer.	"	1 4	
<b>PORK, FRESH AND SALT.</b>			Flour, wheat..... per seer measure.	3	" common, white.....	"	1 3	
Pork, fresh..... 11 lbs.	1	1	Rolong.....	3	" black.....	"	1	
Pig, roasting, large size..... each.	4	4	Sago, fine..... weight.	1	<b>VEGETABLES.</b>			
" small do.....	1	1	Arrowroot, best.....	2	Vegetables generally sold according to the quantity in the Market, and the choice of the vegetables.			
Pig's Head..... 20 lbs.	1	1	" coarse.....	1	Bombay measures by which the articles are sold:—4 Seers are one Pylee—17 Pylees are one Phara—8 Pharas are one Candy—25 Pharas are one Moora.			
Sausages..... 4 "	1	1	" coarse.....	1	A Robin of Rice averages about 15 Pylees.			
Trotters, large..... per four.	1	1	" coarse.....	1	Bombay weights by which the articles are sold:—1 Seer is 11 ozs. and 4 drs.—49 Seers are 1 Maund—1 Maund is 28 English pounds.			

Bombay, Monday, 2nd February 1852.  
Published by order of the Board of Conservancy, J. WATSON, Clerk of the Markets.

**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:—

Crustnath Bappoo Josey, formerly a Vendor of Stamped Papers in the Office of the Collector of Land Revenue, Hindoo, residing in the Kurwady Lane, near Ramwady, without the Fort of Bombay, filed 12th January 1852.

Chundaboo, Widow, formerly a Dealer in Salt Fish, Mahomedan, formerly residing near Khara Tullao, without the Fort of Bombay, (and now in the Bombay Gaol,) filed 16th January 1852.

Mary Ann Higgins, late Stewardess of the Steamer "Pekin," European, residing near Kalcadavy Road, without the Fort of Bombay, filed 15th January 1852.

Abdool Ally Ishmailjee, formerly trading under the name and firm of Abdool Ally Rujub Ally, as a general Merchant, Mahomedan, residing in Bhoosary Molla, without the Fort of Bombay, filed 17th January 1852.

Poondlick Wittoba Senoy, a Clerk in the Custom House, Hindoo, residing in Antoba Gosavee's Oart, without the Fort of Bombay, filed 15th January 1852.

Suroopsook Dowlutram, who lately carried on business as a Broker in Piece Goods and a Speculator in Opium, Hindoo, lately residing near the Moombadavie Chowkee, without the Fort of Bombay, (and now in the Bombay Gaol,) filed 19th January 1852.

Shaik Ameer, who lately carried on business as a Butcher, Mahomedan, lately residing in Bengalpoora, without the Fort of Bombay, (and now in the Bombay Gaol,) filed 19th January 1852.

Orders in the matters of the above-named 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.*

Nowrojee Burjorjee, 1st Monday in February next, at 11 o'clock A. M.

Luxumon Balcrustna, ditto ditto.

Chundaboo, Widow, ditto ditto.

Suroopsook Dowlutram, ditto ditto.

Shaik Ameer, ditto ditto.

Frederick Parkinson, 3rd Monday in February next, at 11 o'clock A. M.

Mary Ann Higgins, ditto ditto.

Poondlick Wittoba Senoy, 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.

W. DEBLAQUIERE,  
Clerk of the Court.

Clerk of the Court's Office, Fort,  
Bombay, this 20th day of January 1852.

नया देवादारोनी कार र मधे\*

मयर हीयांथी आपेआमो आवे छे न नी  
ये लमिला र मरो नमोये डाल मुयाधे मधे  
नादारे देनदार बोकोनां छुटका करनारी को  
र रने अर छमो आपीछे न वीकरोरीआनां  
अगीआरने वरसे धारो पयार थाये बो छे  
तेनां अकवीशना पाय परनांछे डमोने दाड  
ने पोयाडवा \*

करसणनाथ पापु नशी आगल मुलम  
वशुलनां कलेकटरनी डकीशने धापना  
कागल वेयतो हुतो हीनकु रेडुनार श्री मु  
याधेनां कोटयाडार रामवाडी पासे कडवा  
डी लेण मधे तेनी तारीम १२ नी न्नी  
वारी शंने १८५२ ने दाडे दा मल करीछे \*

अंनदायु वीधवा आ गल मारीमाछलो वेय  
नार हुती मुशलगानी आगल श्री मु  
याधेनां कोटयाडार मारातलाप आगल  
रेडुती हुती (ने डालमो श्री मुयाधेनी उ  
रंगमो छे) तेनी तारीम १६ नी न्नीवा  
री शंने १८५२ ने दाडे दा मल करीछे \*

मेरो आन हीगीनश आगल पीकीन आग  
पोट छपर धंशरीछिरदीन हुती अंगरेज  
ण रेडुनारी श्री मुयाधेनां कोटयाडार का  
लका देवीना रयता आगल तेनी तारीम  
१५ नी न्नीवारी शंने १८५२ ने दाडे  
दा मल करीछे \*

अयदुल अली धंशभांछेल न आगल अय  
दुल अली रनयअली ने नामे तथा पेडी  
ये शरवे मीजनेो वेपार करतो हुतो मुश  
लनांन रेडुनार श्री मुयाधेनां कोट याड  
र लुयारी मोडोलामो तेनी तारीम १७  
नी न्नीवारी शंने १८५२ ने दाडे दा मल  
करीछे \*

पुनडलीक वीडोया शेषाधे नांडवीमानो लम  
नारो हीनकु रेडुनार श्री मुयाधेनां कोट  
याडार आनतोया गोशायीनी वाडीमधे ते  
नी तारीम १८ नी न्नीवारी शंने १८५२  
ने दाडे दा मल करीछे \*

शरपशुक दोलतराम न थारा दाडा छपर  
कापडनी इलालीनो धंनघो करतो हुतो त  
था अकीननेो शरो करतो हुतो हीनकु थो  
रा दाडा छपर श्री मुयाधेनां कोट याडार  
नामादेवीनी मोकीआगल रेडुतो हुतो ने  
डालमो श्री मुयाधेनी उरंगमो छे तेनी ता  
रीम १८ नी न्नीवारी शंने १८५२ ने  
दाडे दा मल करीछे \*



**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:—

John Robert Gardner, who lately carried on Trade with Francis Clough and Eduljee Dadabhoj, as Auctioneer and Commission Agent, under the Name and Firm of Brown, Gardner and Company, European, lately residing at Oomer-caddy, without the Fort of Bombay, (and now in the Bombay Gaol,) filed 23rd January 1852.

James Harrison, Signal Gunner at the Light House, European, residing in the Light House, at Colaba, without the Fort of Bombay, filed 24th January 1852.

Canjee Shamjee, a Broker, Hindoo, residing near Mussid Bunder, without the Fort of Bombay, filed 27th January 1852.

Robert Thomas Lott, B. A., late Head Master of the Sir Jamsetjee Jejeebhoy Parsee Benevolent Institution School, European, residing at Upper Colaba, without the Fort of Bombay, filed 28th January 1852.

William Jenne, who lately carried on business as a General Broker, European, lately residing on the Mount, near Byculla, without the Fort of Bombay, filed 28th January 1852.

Pestonjee Bhiccajee, late a Dealer in Liquor, Parsee, residing in Khojia Street, without the Fort of Bombay, filed 31st January 1852.

Dinshaw Shapoorjee, Parsee, residing near the Bazar Gate, within the Fort of Bombay, filed 31st January 1852.

Orders in the matters of the above-named 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.*

John Robert Gardner, 3rd Monday in February instant, at 11 o'clock A. M.

Crustnath Bappoo Josey, 1st Monday in March next, at 11 o'clock A. M.

Canjee Shamjee, ditto ditto.

Robert Thomas Lott, ditto ditto.

Pestonjee Bhiccajee, ditto ditto.

Dinshaw Shapoorjee, 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.

W. DE BLAQUIERE,

Clerk of the Court.

Clerk of the Court's Office, Fort,  
Bombay, this 3rd day of February 1852.

नयला देवादारोनी डारटमधे \*

मपर हीआथी आपेआमो आवछे ननी ये लमेला ममशे नआये हाक मुयाधमधे नादारो देनदार दाकेनां छुटका करनारी डारटने अरळआे आपीछे न वीकटोरी

शेक अनीर न थोरा दाडा जेपर कयाधने धनपो करतो हुतो मुशकनान थोरा दाडा जेपर श्री मुयाधेनां डोटयाडार यंगला पुरामो रेहुतो हुतो (ने हाकमे श्री मुया धेनी वुरंगमोछे) तेनी तारी म १८ नी जनीवारी शंने १८५२ ने दाडे दामल क रीछे \*

जेपर लमेला नयला देवादारोनी अरळ आनी पायतनां डोटम थयेछे न तेनाये नी पोतानी थापर तथा माय नीलकत तथा मोन वसत छे ते आये नानदार डारटना हाकीशियाल आयायेनीना तायेपाना जे पर लमेला धारानो उ नी कलंन परनांछे आपवु \*

शंभलवाना दाडा डारवेला.

नपरोनल परवारल १ दो शोनवार आ वतां शंरवारो नडीनामो ११ कलाकं पेडे ले पारना \*

लमशंनंन पाळकरशटनां दाडो जेपर लमा परनांछे \*

अंनदायु वीधवा दाडो जेपर लमा परनांछे\* शरपयुम दोखतरान दाडो जेपर लमा परनांछे \*

शेक अनीर दाडो जेपर लमा परनांछे \*

शेरेदरोक पारकीनशंन उ नो शोनवार आ वतां शंरवारो नडीनामो ११ कलाकं पेडे ला पारना \*

नेरी आन हागीनय दाडो जेपर लमा पर नांछे \*

पुनडलीक वीडुया शेणार्थ दाडो जेपर लमा परनांछे \*

आडा आपनार देणदारोये पोताना दावा शोर्जननाथी मायुत करेलां शंभल वानी आगनय ओछामो ओछा उ दाडा अगाजे डनारी हाकीशमो दामल करवा नो धंये ने डारवेला (की) अटके दयवुरी पंछे आपवी ते जेपर कडुला नादारोये पोत पो ताना देवानी तथा नाल नीलकतनी टीपो डनारी हाकीशमो नोधावीछे \*

शडी. दयलीजे.—डी.—यलाकीअर, डारटनो कलारक.

श्री मुयाधेनां डोटमधे डारटनां कलार कनी हाकीशमो आन ईने तारी म २० नी जनीवारी शंने १८५२

(True Translation.)

R. X. MURPHY, Acting Chief Translator.

આનાં અગીઆરને વરસે ધારો પશર થાએ  
લો છે તેનાં એકવીસના બાબ પરનાં છે હોને  
દાદને પોઆડવા \*

બન રાખર ઠ ગારદનર જે થોરા દાડા ઊપર  
ક્રાનશીય કલક્ર તથા એફલ જ દાદાભાઈ  
ની શતે બરાબીન ગેઆરદનર તથા કંચપ  
નીને નામે તથા પેહીએલીલાબીનો તથા ક  
મીચંનની આરતનો ધંનધો કરતો હતો  
અંગરેજ થોરા દાડા ઊપર શ્રી મુબાઈનાં  
કોટ બાહાર બીનર મારીનો રહેતો હતો તે  
હાલનો શ્રી મુબાઈની ટુરંગનો છે તેની તા  
રીમ ર૩ મી બંનેવારી શંને ૧૮૫૨ ને  
દાડે દામલ કરી છે \*

જેમય હારીયન દાડી ઊપરની નીશાનનો  
ગનર અંગરેજ રહેનાર શ્રી મુબાઈનાં કો  
ટ બાહાર કોલાબાની દાડી આગલ તેની  
તારીમ ર૪ મી બંનેવારી શંને ૧૮૫૨ ને  
દાડે દામલ કરી છે \*

કાનજ શંમેજ દલાલ હીનકુ રહેનાર શ્રી મુ  
બાઈનાં કોટ બાહાર મશાઈ બંનદર આગ  
લ તેની તારીમ ર૭ મી બંનેવારી શં  
ને ૧૮૫૨ ને દાડે દામલ કરી છે \*

રાખર ઠ ઠામશલાટ બી. એ. થોરા દાડા ઊપ  
ર શર નં મશાઈ જીભાઈ પારશી ધરમ  
માતાની નીશાનનો મોટો મેતાજ હતો અં  
ગરેજ રહેનાર શ્રી મુબાઈનાં કોટ બાહાર  
મોટા કોલાબાનો તેની તારીમ ર૮ મી  
બંનેવારી શંને ૧૮૫૨ ને દાડે દામલ ક  
રી છે \*

બીલીઅંમ જીની જે થોરા દાડા ઊપર દલાલી  
નો ધંનધો કરતો હતો અંગરેજ થોરા દા  
ડા ઊપર શ્રી મુબાઈનાં કોટ બાહાર ભો  
એમાલા આગલ ટેકરો ઊપર રહેતો હ  
તો તેની તારીમ ર૮ મી બંનેવારી શં  
ને ૧૮૫૨ ને દાડે દામલ કરી છે \*

પેશતંનજ ભીમાજ થોરા દાડા ઊપર દાર વે  
મતો હતો પારશી રહેનાર શ્રી મુબાઈનાં  
કોટ બાહાર મોબ મોહોલાનો તેની તા  
રીમ ૩૧ મી બંનેવારી શંને ૧૮૫૨ ને  
દાડે દામલ કરી છે \*

દીનશા શાપુરજ પારશી રહેનાર શ્રી મુબાઈ  
નાં કોટ મધે બંબરના દરવાબ આગ  
લ તેની તારીમ ૩૧ મી બંનેવારી શં  
ને ૧૮૫૨ ને દાડે દામલ કરી છે \*

ઊપર લખેલા નખલા દેવાદારોની અરજ

ઓની બાબતનાં હોકંમ થએ છે જે તેના  
ઓની પોતાની થાવર તથા માશ મોલકત  
તથા ઓન વસત છે તેઆએ નામદાર કોર  
ટના હાફીશીઆલ આશાએનીના તાએબા  
નાં ઊપર લખેલા ધારાની ૭ મી કલંમ પ  
રનાં છે આપજ \*

શંભલવાના દાડા ઠરાવેલા \*

બંન રાખર ઠ ગેઆરદનર ૩ ના શોમવાર  
આલતા શેખરવારી મહીનાનો ૧૧ કલાકે  
પેહુલે પોરનાં \*

કરશટનાથ બાપુ નાશી ૧ લો શોમવાર આ  
વતા મારમ મહીનાનો ૧૧ કલાકે પેહુલે  
પોરનાં \*

કાનજ શામજી દાડો ઊપર લખા પરનાં છે \*  
રાખર ઠ ઠામશલાટ દાડો ઊપર લખા પર  
નાં છે \*

પેશતંનજ ભીમાજ દાડો ઊપર લખા પર  
નાં છે \*

દીનશા શાપુરજ દાડો ઊપર લખા પરનાં છે \*

આડા આવનાર લેણાદારોએ પોતાના  
દેવા શોગંનનાનાથી શાબુત કરેલાં શંભલવા  
નો આગમમ એણાનો એછા ૩ દાડા અગા  
બી હમારીહાફીશીએ દામલ કરવા બાઈએ ને  
ઠરાવેલી (ફી) એટલે દસતુરી પંચ આપવી  
તે ઊપર કહેલા નાદારોએ પોત પોતાના દેવા  
ની તથા માલ મોલકતની ડીપો હમારીહાફી  
શનો મોધાવી છે \*

શહી. ડબ્લીબી.—ડી.—બલાકીઅર,  
કોરટનો કલારકં.

શ્રી મુબાઈનાં કોટમધે કોરટનાં કલાર  
કની હાફીશીએ આન હંને તારી

મ ૩ જ શેખરવારી શંને ૧૮૫૨

(True Translation.)

R. X. MURPHY, Chief Translator.

### Notice.

Sealed 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.



**Notice**

Is hereby given, that a Bale of Cotton is lying unclaimed at the Mahim Custom House, which, if not claimed within a month from this date, will be sold by Public Auction.

A. D. ROBERTSON,  
Deputy Collector of Customs.

Bombay, Custom House,  
26th January 1852.

अहुरनांशुं.

अहुरेपुन माहीमनांनी मांडवीनां दावा करायगरनी इअनी गांशडी १ पडेदी छे अंने ७पर आननी तारीअथी अंके महीनानी अंंदर कोछे शयश दावा नही करे तो ते अहुरे र दीर्घांम करीने वेअपाभां आयशे \*

नीशांणी.

आरमीयालड. डेवीड. रापरशंन,  
कश्टंनने डीपुटी कलेकटर \*

तारीअ २६ नी माहुरे आनेवारी शंने १८५२  
छेशवी मुकाम मुयेछे मांडवी \*

A. RICHARDSON, Depy. Secy. to Govt.

**जाहीर नामा**

रेसाजे माहीम येथील मांडवी मध्ये दावा केव्हा वाचून का पयाची राखडी एक पडली आहे त्याजवर आजचे तारखे पास न एक महिन्याचे आंत कोणो दावा केला नाही तर तो जाहीर लेलाव करन विकली जाईल.

निशाणी

आर्चोवालड. डेवीड. रावटसन.

कसचे डीपुटी कलेकटर.

तारिख २६ माहे आनेवारी सन १८५२ इश  
वी मुकाम मुंबई मांडवी.

A. RICHARDSON, Depy. Secy. to Govt.

**FORAS LAND COMMISSION.**

Notice is hereby given, that the Commissioners under Act VI. of 1851, relating to Foras Lands, are about to distribute the Certificates for Compensation for Lands taken for the New Foras Roads. All persons having claims upon such lands are requested to prefer the same at the Secretary's Office, in the Town Barracks, without delay.

A. DELISLE,  
Secretary.

Bombay, 28th January 1852.

शिरानी नमीननी कामेटी.

अहुरनांशुं.

अहुरेपुन शिरानी नमीन यापतना शंने १८५१ ना ६ हा काअेदा परमांछे कमीश नर माहुरेयो इरावेअ्या छे तेअ्या नवा शिरा ना रशता वाशते नमीन लीधी छे ते नमीन ना यदलाना शरतीक्रीकेटो अेरेवे दापला अ्या पयाना छे वाशते अेवी नमीन ७पर न दाकोनो दावा हुअे तेअ्याअे वीरंय न कर

तां कोट माहुरेनी पराकनां शिकरेतारोनी क  
येरीनां पोतानो दावा अहुरे करया \*

नीशांणी.

अ. डीदाधेल,

शिकरेतारी नीशयत शिरानी

नमीनना कमीशनर \*

तारीअ २८ नी माहुरे आनेवारी शंने १८५२  
छेशवी \*

A. RICHARDSON, Depy. Secy. to Govt.

**फोराचे जमोनीची क्वामेटी**

जाहीर नामा

रेसाजे फोराचे जमोनी वाचद सन १८५१ चे ६ वे कायद्या अन्वये कमीशनर साहेब नेमले आहेत ते नवीन फोराचे रस्ता करीता जमोनी घेतल्या आहेत त्याचे सुवादल्याची सरटोफीकी टे म्हणजे दाखले देणार आहेत त्यास अशा जमोनीवर ज्या लोकाचे दावे असतील त्याणो वोलंब न लावोतां कोटातील व राकांत सक्राटारीचे कचेरीत आपले दावे जाहीर करावे.

निशाणी

ए. डोलाड.

सक्राटारी नोसवत फोराचे जमोनीचे कमीशनर.

तारीख २८ माहे आनेवारी सन १८५२ इशवी.

A. RICHARDSON, Depy. Secy. to Govt.

**Notice**

Is hereby given, that Scaled Tenders will be received at this Office on Tuesday next, the 10th instant, until 2 o'clock p. m. (any delivered after that hour will be rejected), for the supply of the undermentioned Articles, viz:—

- 3 (Three) Messengers, Coir, Amundavie, best, Cable laid, 9 inches, Knots worked, 35 fathoms each.
- 2 (Two) Ditto Coir, Amundavie, best, Cable, laid, 7 inches, Knots worked, 30 fathoms each.
- 6 (Six) Coils Rope, Coir, Amundavie, best, 1 1/2 inches.
- 2 (Two) Do. do. do. do. do. 2 do.
- 10 (Ten) Do. do. do. do. do. do. 2 1/2 do.
- 5 (Five) Do. do. do. do. do. do. 3 do.
- 6 (Six) Do. do. do. do. do. do. 3 1/2 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 Ropes."

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, Sundays excepted.

No reason will be assigned for rejecting any offer.

E. WHICHELO, Major,  
Deputy Commy. General.

Bombay, Deputy Commy. Genl.'s Office,  
4th February 1852.

# General Orders.

## MILITARY DEPARTMENT.

BY THE RIGHT HONORABLE THE GOVERNOR IN COUNCIL.

*Bombay Castle, 29th January 1852.*

No. 71 of 1852.—Serjeant William Farnham Knight, Sub-Assistant Overseer in the Department of Public Works, is promoted to Assistant Overseer, from the 31st December 1851, vice Serjeant Assistant Overseer Thomas Henry Sherstone, remanded to the Corps of Sappers and Miners.

Supernumerary Sub-Assistant Overseers Serjeants Robert William Campbell and James O'Connell are brought on the strength of the Department, as Sub-Assistant Overseers, to fill vacancies.

No. 72 of 1852.—Captain (Brevet Major) H. Aston, of the 10th Regiment N. I., is allowed to proceed to the Cape of Good Hope, on Medical certificate, with leave of absence for two years.

No. 73 of 1852.—The following Orders are confirmed :—

An Order by Lieutenant Colonel A. Rowland, dated Camp Dhoolia Kote, the 14th January 1852, appointing Lieutenant E. J. Barton to act as Staff Officer to the Artillery, Northern Division of the Army, and Adjutant to the 4th Battalion of Artillery, during the absence of Lieutenant Stevenson, on Medical certificate to the Presidency, or until further orders.

An Order by Lieutenant E. McCulloch, dated Camp Poona, the 19th January 1852, appointing Lieutenant J. Webb to act as Quarter Master to the 27th Regiment N. I., on the departure of Lieutenant A. F. Lloyd from Head Quarters, till further orders.

An Order by Brigadier W. Wyllie, C. B., dated Bombay, the 20th January 1852, appointing Lieutenant T. Leith, of the 14th Regiment N. I., to act as Adjutant to the Marine Battalion, on the departure of Lieutenant Frankland to Europe, until further orders.

No. 74 of 1852.—A Garrison Order by the Right Hon'ble the Governor, dated the 30th December 1851, directing Assistant Surgeon Coles, Assistant Garrison Surgeon, to act as Assistant Surgeon European General Hospital, during the absence of Assistant Surgeon Meade, on detached duty, is confirmed.

*Bombay Castle, 30th January 1852.*

No. 75 of 1852.—Lieutenant G. Smith, of the 2nd Regiment Light Cavalry, is allowed leave of absence from the 10th February to the 10th May next, to proceed to Mangalore, on private affairs.

No. 76 of 1852.—The following Native promotions are made :—

	<i>Date of Rank.</i>
<i>3rd Regiment Native Infantry.</i>	
Color Havildar Mhado Jawonth to be Jemedar, vice Hunwotjee Jadow, pensioned. ....	1st Jan. 1852.
<i>15th Regiment Native Infantry.</i>	
Color Havildar Matta Deen to be Jemedar, vice Moorshah, deceased.....	22nd Dec. 1851.
Havildar Chunden Dichit to be Jemedar, vice Mehdaree Khan, deceased.....	30th Dec. 1851.

*2nd Regiment Scinde Irregular Horse.*

Jemedar Tey Sing to be Naib Russuldar, and Kote Duffedar Nizam Ali Khan to be Jemedar, }  
in succession to Runjeet Sing, deceased..... } 5th Dec. 1851.

The promotion of Havildar Sheik Emaun, of the 15th Regiment Native Infantry, to the rank of Jemedar, published in the Government General Order of the 7th instant, No. 21, is cancelled.

No. 77 of 1852.—The following Orders are confirmed :—

An Order by Lieutenant Colonel Scott, dated Camp Malligaum, the 9th January 1852, appointing Captain Boyd and Lieutenant Hathway, the former to act as Interpreter and the latter as Quarter Master to the 11th Regiment N. I., during the absence of Lieutenant Keys on sick certificate, or until further orders.

An Order by Lieutenant Colonel T. C. Parr, dated Camp Bhooj, the 15th November 1851, appointing Lieutenant Lester to act as Quarter Master and Interpreter to the 2nd Grenadier Regiment N. I., during the absence of Lieutenant Harding, on leave to the Presidency, or until further orders.

No. 78 of 1852.—Captain J. J. F. Cruickshank is appointed Garrison Engineer and Civil Architect at the Presidency, in succession to Captain Estridge, proceeding to Europe.

No. 79 of 1852.—The undermentioned Document will be forwarded to the Hon'ble the Court of Directors by the next Overland Mail :—

Supplementary General Roll for the Quarter ending 31st October 1851, of Remittances of Non-Commissioned Officers and Soldiers of Her Majesty's 10th Hussars, 8th, 78th, and 83rd Regiments of Foot.

No. 80 of 1852.—Lieutenant P. A. Elphinstone, of the 18th Regiment Native Infantry, has been appointed Supernumerary Assistant to the Superintendent of the Ahmednuggur Revenue Survey and Assessment.

*Bombay Castle, 31st January 1852.*

No. 81 of 1852.—The Hon'ble the Court of Directors have been pleased to authorize the grant of a Donation of One thousand Rupees to Captain J. W. Schneider, of the 2nd Gr. Regiment N. I., for proficiency attained in four Native languages.

*Bombay Castle, 2nd February 1852.*

No. 82 of 1852.—An Order by Brigadier General A. Manson, dated Kurrachee, the 24th of December 1851, directing Surgeon White to perform the Medical and Vaccinator's duties, on the departure of Assistant Surgeon Stocks from the Division, is confirmed.

*Bombay Castle, 3rd February 1852.*

No. 83 of 1852.—The undermentioned Officers are allowed a furlough to Europe for three years, on Medical certificate :—

Lieutenant T. Oliver . . . . . 5th Regiment N. L. I.  
Lieutenant J. Campbell . . . . . 22nd Regiment N. I.

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

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

*Bombay Castle, 29th January 1852.*

No. 15 of 1852.—Mr. C. J. Harrison, Superintending Engineer, is allowed leave of absence for three months, to proceed to Egypt, on private affairs.

No. 16 of 1852.—The unexpired portion of the leave to the Neilgherries, granted to Captain Robinson, Assistant Secretary to the Military Board, under General Order No. 26, of the 26th February 1850, is cancelled from the 31st instant.

No. 17 of 1852.—The following temporary arrangements and appointments are confirmed :—

*By Commodore Stephen Lushington, Commander in Chief of the Indian Navy.*

Mr. Graham, Purser, of the "Elphinstone," to perform the duties of Clerk of that vessel, in addition, from the 4th January 1852, there being no Clerk available.

Lieutenant S. B. King, of the "Hastings," to reside on shore for the benefit of his health, from the 3rd January 1852.

Mr. H. G. Connor, Acting 1st Class 2nd Master, of the "Victoria," to the "Ferooz," as Acting Master, from 9th January 1852.

Lieutenant Constable, of the Surveying Brig "Euphrates," to be Assistant Surveyor of that vessel, from the 1st November 1851.

*By Commodore J. P. Porter, I. N., Commanding the Indian Naval Squadron in the Persian Gulf.*

Lieutenant W. Leeds, of the Indian Navy, from Sick quarters, to resume the Command of the "Constance," from the 5th September 1851.

*Bombay Castle, 30th January 1852.*

No. 18 of 1852.—Mr Joseph Boyce, 1st Class Engineer, is allowed leave of absence, for a period of two years, to proceed Europe, on Medical certificate.

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

*Civil Appointments, &c.*

*POLITICAL DEPARTMENT.*

*Bombay Castle, 2nd February 1852.*

Mr. J. M. Davies received charge of the office of Resident at Baroda, from his Assistant, Lieutenant M. Battye, on the 20th ultimo.

*Bombay Castle, 4th February 1852.*

Under the leave of absence granted to Major G. Fulljames on the 3rd ultimo, that Officer delivered over charge on the 19th idem of the office of Political Agent in the Rewa Kanta, to Lieutenant M. Battye, Assistant to the Resident at Baroda.

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

## TERRITORIAL DEPARTMENT.

## REVENUE.

*Bombay Castle, 30th January 1852.*

The leave of absence on Medical certificate, granted under date the 24th ultimo, to Lieutenant B. Burgess, Assistant Superintendent Ahmednuggur Revenue Survey and Assessment, has been extended to the 24th March next.

*Bombay Castle, 31st January 1852.*

Mr. R. H. Pinhey, Acting 3rd Assistant to the Collector of Poona, has been allowed leave of absence, under Section VI. of the Absentee Rules, for one month, from the 26th instant, to proceed to the Presidency, for the benefit of his health.

*Bombay Castle, 3rd February 1852.*

Mr. Arthur King Corfield to be Agent at Colaba.

*Bombay Castle, 4th February 1852.*

Captain George Wingate has been appointed Survey Commissioner under this Presidency, from the date on which he left the Southern Mahratta Country for the Deccan, in the month of September last.

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

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

## GENERAL DEPARTMENT.

*Bombay Castle, 3rd February 1852.*

With reference to the Notification of the 14th ultimo, the promotion of Second Grade Apprentice Luke de Silva to be a First Grade Apprentice is cancelled, and

Second Grade Apprentice Bacher Sing, of the Jail Hospital, Shikarpore, is promoted to First Grade Apprentice, from the same date.

Assistant Surgeon Manisty, Civil Surgeon at Ahmednuggur, has been allowed leave of absence from the 11th to the 27th instant, to visit the Presidency, on private affairs, his duties being conducted during his absence by Assistant Surgeon Steinhaeuser.

## JUDICIAL DEPARTMENT.

*Bombay Castle, 3rd February 1852.*

Captain K. Young, Judicial Assistant to the Commissioner in Scinde, returned to his duties on the 13th December last.

The leave of absence granted under date the 10th December last to Mr. C. Forbes, Assistant Judge and Session Judge of Dharwar, is extended till the 16th proximo, under Section XII. of the Absentee Regulations.

Mr. A. K. Corfield is appointed Acting Judge of Sholapoor, vice Mr. W. H. Harrison, proceeding to Sea on sick leave.

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

Azum Gunputrao Dhondeo to be Moonsiff in the Surat Zillah.

First Grade Apprentice R. P. De Rozario, attached to the Jail Hospital at Dhoolia, is allowed leave of absence till the 16th instant, to proceed to the Presidency, on Medical certificate.

The leave of absence on Medical certificate, granted under date the 18th October last to Khan Saheb Manockjee Pestonjee, is further extended till the 31st proximo.

*Bombay Castle, 4th February 1852.*

The following arrangements in the Subordinate Medical Department are sanctioned:—

First Hospital Assistant Cassinath Govind, attached to the Poona Auxiliary Horse, to be transferred to the District Jail of Halla, in Scinde.

First Hospital Assistant Moolla Oomer, attached to the Civil Department, Broach, to be transferred to the District Jail at Meerpoor.

First Hospital Assistant John Thompson, Native Veteran Battalion, to be transferred to the District Jail at Mahomed Khan Ka Tanda.

First Hospital Assistant Gopal Jadhaw, employed on general duty in Scinde, to be transferred to the District Jail at Shah Bunder.

Second Hospital Assistant Balla Bhat, late of the Camel Baggage Corps, to be attached to the Candeish Bheel Corps.

## ECCLESIASTICAL DEPARTMENT.

*Bombay Castle, 3rd February 1852.*

The Reverend W. Goodall, Chaplain of Ahmednuggur, has been allowed leave of absence on private affairs, for one month, from the 11th instant, to visit the Presidency, under Section XXV. (amended) of the Civil Absentee Regulations.

The Reverend Dr. Goldstein is confirmed in the appointment of Chaplain of Sholapoor and Kulladghee.

Bombay Castle, 4th February 1852.

The undermentioned Officers have been appointed, under Section XVIII. of the Imperial Act of Parliament 14 and 15 Vict. Cap. XL., Registrars of Marriages in the Bombay Presidency :--

- A. W. Clarke, Esq., for the Town and Islands of Bombay and Colaba.
- D. Costelloe, Esq., Civil Surgeon, Poona, for the Districts of that Collectorate.
- W. P. Gillanders, Esq., Civil Surgeon, Ahmedabad, do. do.
- F. Manisty, Esq., Civil Surgeon, Ahmednuggur, do. do.
- T. Waller, Civil Surgeon, Belgaum, do. do.
- J. Bean, Esq., Civil Surgeon, Broach, do. do.
- G. F. Forbes, Esq., Civil Surgeon, Dharwar, do. do.
- E. DeCrespigny, Esq., Civil Surgeon, Kaira, do. do.
- S. M. Pelly, Esq., Civil Surgeon, Khandeish (Dhoolia), do. do.
- J. M. Knapp, Esq., Civil Surgeon, Nassick, do. do.
- G. G. W. Maitland, Esq., Civil Surgeon, Rutnagherry, do. do.
- C. J. Sylvester, Esq., Civil Surgeon, Sholapoor, do. do.
- W. Leggett, Esq., Civil Surgeon, Surat, do. do.
- R. Hosken, Esq., Civil Surgeon, Tanna, do. do.
- C. G. Wiehe, Esq., Civil Surgeon, Sattara, do. do.
- B. White, Esq., Civil Surgeon, Kurrachee, do. do.

By Order of the Right Hon'ble the Governor in Council,  
J. G. LUMSDEN, Secretary to Government.

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

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

NAMES OF VESSELS.	AGENTS' NAMES.	DATE OF INTENDED DEPARTURE.	TO WHAT PORT.	WHERE TOUCHING.
Auckland .....	Commander in Chief, Indian Navy...	17th Instant .....	Aden.....	
Ferooz .....	Ditto ditto.....	3rd proximo.....	Suez.....	Aden.
Bombay .....	Bombay S. N. Company.....	8th Instant .....	Kurrachee.....	
Dwarka .....	Ditto ditto.....	9th ditto.....	China.....	Malabar Coast.
Achilles .....	P. & O. Steam Navigation Company.	17th ditto.....	Aden.....	
Ganges.....	Ditto ditto.....	18th ditto.....	Hong-Kong.....	{ Ceylon, Penang, & Singapore.
Earl Balcarras.....	Messrs. Remington & Co.....	10th ditto.....	London.....	
Eliza.....	" W. Nicol & Co.....	14th ditto.....	Ditto.....	
Maple Leaf.....	" Ditto ditto.....	15th ditto.....	Liverpool.....	
Istvan fo Herceg.....	" Ditto ditto.....	10th ditto.....	Akyale.....	
Blue Bell.....	" Thomas Jefferies & Co.....	15th ditto.....	Mauritius.....	

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

Bombay, Genl. Post Office, 4th February 1852.

A. W. RAVENSCROFT,  
Post Master General.

**GENERAL DEPARTMENT.**

The duty of collecting the undermentioned Taxes has been transferred from the charge of the Collector of Land Revenue to that of the Collector of Municipal Taxes :--

- Fees for Licenses for Country Music.
- Ditto do. Beating Battakee.
- Ditto do. Erecting Wedding Sheds.

By order of the Right Hon'ble the Governor in Council,  
J. G. LUMSDEN,  
Secretary to Government.  
Bombay Castle, 4th February 1852.

**Notice**

Is hereby given, that persons desirous of entering into a Contract for supplying Spirits Rectified, or Spirits of Wine, Country manufacture, to this Department, or for such other purposes as may, from time to time, be required, for the term of one year, to commence 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 excepted), obtain a List of prices, and such other information relating thereto as they may require.

Verbal offers for the Contract will be received at this office on Friday, the 20th instant, at 2 o'clock P. M., when persons will be required to bid a per-centage above or below the prices exhibited in the above-mentioned List, on the understanding that the article to be supplied under this Contract is to be of unexceptionable quality, according to muster, which may be seen in this Office, and delivered to the Indenting Departments in good condition, free of all further expenses, in such quantities as may from time to time be demanded, and that the same will be liable to examination and rejection by a Committee of Officers appointed on the part of Government.

The 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 article included in the above-mentioned List, and will meet other demands of less urgency within the periods stated in the requisitions made upon him or them, in failure whereof, or if the supply be condemned by a Committee of Officers as aforesaid, the Spirits Rectified, or such other as may be required in lieu thereof, shall be purchased by this Department, without reservation,



at his or their risk and cost; and in all such cases an advance of Rupees (30) thirty per cent. upon the amount of expenses incurred, or a fine of Rupees (50) fifty, at the option of the Executive Officer, 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 (68) sixty-eight 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 (272) two hundred and seventy-two, to be held by Government for the due fulfilment of his Contract.

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

The amount of retrenchments made by the Military Board on Contractors' 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 1,362, or 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, Major,  
Deputy Commissary General.

Bombay, Deputy Comm'y. Gen'l's Office,  
3rd February 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.

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

F. G. BONE, Secretary.

Commodore's Office,  
Bombay, 4th February 1852.

### Notice.

Verbal Tenders will be received at this Office, precisely at 2 o'clock p. m. on Monday next, the 9th instant, for the supply of the undermentioned Articles, and such others as may be called for during the intermediate period, viz:—

- 1 (One) Bottle, Stone, large.
- 1 (One) Jar, Europe, capable of containing 73 lbs. Oil.
- 18 (Eighteen) Chairs, Blackwood, carved, with Arms.
- 56 (Fifty-six) Pounds Borax.
- 736 (Seven hundred and thirty-six) Sheets Sheathing Copper (Europe), 30 ounces.
- 525 (Five hundred and twenty-five) do. do. do. 28 ounces.
- 247 (Two hundred and forty-seven) do. do. do. 26 ounces.
- 200 (Two hundred) Fathoms Chain, Iron (Europe),  $\frac{3}{8}$ -inch, for Rigging.
- 100 (One hundred) Fathoms do. do. do.  $\frac{1}{2}$ -inch, or  $\frac{3}{4}$ -inch.
- 7 (Seven) Locks, Drawer, Brass, (Europe,) Patent,  $\frac{3}{2}$ -inch.
- 12 (Twelve) Locks, do. Iron, do. do.  $\frac{3}{2}$ -inch.
- 3 (Three) Iron Bolts,  $2\frac{1}{2}$ -inch.
- 1 (One) Plotting Scale.
- 12 (Twelve) Brooms (Country).
- 1-2-15 (One cwt. two quarters, and fifteen lbs.) Cotton, clean.
- 2-18 (Two maunds and eighteen lbs.) Oil, Jingerly.
- 19 (Nineteen) Auger Shafts (Europe).
- 40 (Forty) Horn Sheets.
- 56 (Fifty-six) Sheets Paper, Drawing, Elephant, single.
- 2 (Two) Perambulators.
- 1 (One) Wooden Stand, with Glass Burner.
- 3 (Three) Cocks, Brass, large.
- 31 (Thirty-one) Supplies.
- 3 (Three) Anemometers.
- 2 (Two) Hydrometers (Daniell's).

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, Major,  
Deputy Commissary General

Bombay, Dep'y. Comm'y. Gen'l's Office,  
4th February 1852.

### Notice

Is hereby given, that a Public Sale for the exclusive privilege of selling Country Liquor, and Intoxicating Drugs, (Gauza, Bhang, Churrus, Opium, and Poppy-head and Mahajum, &c.) to the Troops and Followers composing the Brigade at Neemuch, will take place at this Office at 12 o'clock on Saturday the 13th March next, and sealed Tenders will be also received at the Com-

missary General's Office, Bombay, at the above-mentioned hour and date.

2. Persons to bid the amount in Company's Rupees, to be given, per mensem, for 12 months, commencing from 1st May 1852 up to the 30th April 1853.

3. The Troops composing the Neemuch Brigade are as follows, viz:—

	Strength.
One Regiment Native Light Cavalry..	378
One Regiment of Native Infantry.....	729
One Company of Native Artillery, with Light Field Battery attached.....	138
Neemuch Cantonment, Followers, &c...	8,000

Total.. 9,245

4. Previous to the biddings taking place, a deposit of the sum of Rupees (100) one hundred for the Contract for Country Liquor, and Rupees (20) twenty for the Contract for Drugs, will be required from each bidder, and which will be forfeited in the event of delay, evasion, or refusal to execute the necessary Deed of Contract, should their offers be accepted, in which case they will be required to complete the sum equal to one month's amount of their respective Contracts on signing the Agreement, which will be retained as security for the due fulfilment of their engagements, besides which, two unexceptionable Securities to be furnished by the Contractors, who are to bind themselves as Securities for the regular fulfilment of the terms of the said Contracts, and to make good all deficiencies in the payment of the same.

5. Further, the Contractors are to make the monthly payment of their Contracts in advance, on the 1st of each month, commencing from 1st May 1852.

6. No deduction will be allowed, except for Troops who may leave the Station.

7. Detachments of 500 Men, moving or stationed within the Command, are to be supplied with Liquor and Drug Shops by the Contractors, but all other Detachments are to obtain their Spirits and Drugs from the Shops licensed by the Civil Authorities, wherever stationed.

8. Troops moving from the Division or Station to be supplied with Liquor and Drug Shops by the Contractors, which are to remain until replaced by others from the Division or Station they halt at.

9. The arrival in or the departure out of the Command of 200 men or under, to have no effect on these Contracts; all alterations above that number to be adjusted agreeably to the preceding proportions.

10. Cavalry to be charged for on the same proportion as Europeans.

11. The Contractors to remain always with the Bazar Departments.

12. No drawback will be allowed to the Contractors for any secrecy which may occur during the existence of the Contracts, and no reason will be assigned for the rejection of any offer.

13. The Contractors will be bound to defray the expenses of maintaining a Preventive Police, when and wherever it may be found necessary by Commanding Officers, for suppressing clandestine sale of Spirits to European Troops.

14. The Liquor and Drug Contractors will be allowed to have three Shops for vending their Liquor and Drugs, but should the Commanding

Officer at any time wish to close two of them, the Contractors will have to abide by the same.

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

H. LANCASTER, Captain,  
Sub-Assistant Commissary General,  
In charge of Sudder Bazar.

*Sudder Bazar Office, Camp Neemuch,  
18th January 1852.*

**MILITARY  
ARRIVALS AND DEPARTURES.**

1852		ARRIVALS.
28th Jan.—	Lieutenant Colonel D. Simpson, 29th Bengal N. I., on Medical Certificate, from Peshawur.	
” ”	Captain C. M. Barrow, 19th N. I., on duty, from Tanna.	
29th ”	Assistant Surgeon J. E. Stocks, Medical Staff, on duty, from Scinde.	
” ”	Cornet C. Cazenove, 6th Madras L. C., on leave, from Sholapore.	
30th ”	Captain Bedford, Native Veteran Battalion, on Medical Certificate, from Dapoolie.	
” ”	Captain S. Mitchell, Guzerat Irregular Horse, on leave, from Ahmedabad.	
1st Feb.—	Major D. Carstairs, 6th N. I., on duty, from Tanna.	
2nd ”	Major T. Tapp, Poona Irregular Horse, on duty, from Seeroor.	
” ”	Surgeon A. Thom, H. M.'s 8th Regiment, on leave, from Poona.	
3rd ”	Lieutenant J. B. Forrest, 12th Regiment N. I., on leave, from Ahmedabad.	
4th ”	2nd Lieutenant C. L. R. Glassford, 1st Fusiliers, on leave, from Poona.	
		DEPARTURES.
23rd Jan.—	Ensign G. Jervis, 9th Regt. N. I., to join, to Rutnagherry.	
29th ”	Major Nott, 19th M. N. I., to join, to Dharwar.	
” ”	Lieutenant H. J. Hobson, 7th Regt. N. I., to rejoin, to Ahmedabad.	
” ”	Assistant Surgeon J. E. Stocks, Medical Staff, on duty, to Bulsar.	
30th ”	2nd Lieutenant R. E. F. Cotgrave, Engineers, to join, to Poona.	
” ”	Lieutenant J. G. Hort, Staff, on duty, to Ahmednuggur.	
” ”	Lieutenant E. A. Law, 1st Fusiliers, on duty, to Poona.	
” ”	Lieutenant J. Mungavin, Engineers, to Tanna.	
” ”	Brevet Major R. Farquhar, 6th Regt. N. I., on duty, to Tanna.	
” ”	Ensign D. Bolton, 3rd Regt. N. I., to join, to Poona.	
31st ”	Lieut.-Colonel St. John, 27th Regt. N. I., on duty, to Poona.	
1st Feb.—	Ensign J. Bennett, 1st Fusiliers, to join, to Poona.	
2nd ”	Ensign A. Bell, Civil Employ, to join, to Sholapore.	
” ”	Captain L. Forrest, Malwa Contingent, to join, to Mahidpore.	
” ”	Major W. Purves, 9th Regt. N. I., to England.	
” ”	Major J. Birdwood, Staff, on duty, to Belgaum.	
” ”	Lieutenant W. B. Gray, Marine Battalion, on duty, to Poona.	
3rd ”	Lieutenant J. Campbell, 22nd Regt. N. I., on sick certificate, to England.	
” ”	Major J. V. Hughes, 39th M. N. I., to Europe.	
” ”	Ensign F. Samwell, 6th M. N. I., on sick certificate, to England.	
” ”	Major S. J. Stevens, 21st Regt. N. I., on furlough, to England.	
4th ”	Lieut.-Colonel J. M. Short, 20th Regt. N. I., on duty to Sholapore.	

*Bombay, Town Major's Office,  
4th February 1852.*

**SHIPPING INTELLIGENCE.**

1852 ARRIVALS.  
 27th Jan.—Ship Hyderee, A. Eagleshame, from Calcutta 19th December.  
*Passengers*—Mrs. Hutchinson, and 2 Children.  
 28th „ Ship Haidee, J. Hopkinson, from Hull 18th September.  
 „ „ Steamer G. R. Clerk, J. Woolly, from Surat 27th January.  
*Passengers*—A. Latham, Esquire; J. Smith, Esquire; and Several Natives.  
 29th „ Steamer Sir J. R. Carnac, G. M. Beyts, from Surat 28th January.  
*Passengers*—Several Natives.  
 „ „ Ship Elizabeth, D. Rees, from London 12th August.  
*Passenger*—Mr. Hawkins.  
 „ „ Ship Georgiana, G. William, from Calcutta 2nd January.  
*Passenger*—R. Main, Esquire.  
 30th „ Ship Tory, R. Hosking, from Penang 1st January.  
 „ „ Ship British Empire, J. McEwen, from Newport 25th August.  
 „ „ Ship Ferozepore, C. Grant, from Liverpool 19th August.  
*Passengers*—Mrs. Grant, and Child.  
 „ „ Ship Fanny, M. Hopelett, from Zanzibar 2nd December.  
 1st Feb.—Ship John Wickliffe, B. Daly, from Hong-kong 16th December.  
*Passenger*—Captain Wild.  
 2nd „ Steamer Lowjee Family, J. Rankin, from Surat 1st instant.  
*Passengers*—Captain and Mrs. Moyle.  
 „ „ Barque Hannah, T. Heritage, from Penang 4th January.  
*Passengers*—36 Government Convicts.  
 3rd „ Ship J. K. L., M. Clark, from Liverpool 30th August.

**DEPARTURES.**

28th Jan.—Grab Harsingar, Ally Mahomed, Nacodah, to Mauritius.  
 29th „ Steamer Phlox, F. M. Ellis, to Surat.  
*Passengers*—Several Natives.  
 „ „ Ship Ocean Queen, P. Ries, to China.  
 30th „ Ship New Orleans, G. Begg, to London.  
*Passenger*—Mrs. Begg.  
 2nd Feb.—Steamer Sir J. Jejeebhoy, J. Clark, to Surat.  
*Passengers*—101 Natives.  
 3rd „ Ship Royal Alice, W. Boyce, to Singapore.  
 „ „ Steamer G. R. Clerk, J. Woolly, to Surat.  
*Passengers*—Several Natives.  
 „ „ H. C. S. P. Victoria, Commander Manners, to Suez.

A. SPENS,

Senior Magistrate of Police.

Bombay, Police Office,  
 4th February 1852.

**NOTICE.**—The interest and responsibility of Mr. ALEXANDER HADDEN in our Firm ceased on the 31st July last.

Mr. JOHN FLEMING has been admitted a Partner in our Firm from this date.

W. NICOL & Co.

Bombay, 2nd February 1852.

**NOTICE.**—Verbal Tenders will be received at the Office of the Superintendent of Repairs, at 2 o'clock p. m. on Saturday the 7th proximo, for the execution by Contract of the undermentioned Work:—

Making a small Street from Chinch Bunder 1st Row to Neeshandar Oomecary Row.

Estimate of the quantity of labour and materials to be expended, and plans and descriptive accounts of the Work, will, in the mean time, remain open for inspection in this Office, where any additional information regarding the same may be obtained.

A deposit of 5 per cent. will be required from the lowest bidder, to be forfeited in case of any evasion in signing the Deed of Contract.

The Superintendent of Repairs does not bind himself to accept the lowest, or any Tender.

H. CONYBEARE,  
 Superintendent of Repairs.

Bombay, Supt. of Repairs' Office,  
 31st January 1852.

બહાર નામુ

એલેક્ઝાન્ડર નીચે લખેલ કાંન ઇન્વેસ્ટીમેન્ટ કરવા વીચેના મુખનાંની અરજી તારીખ ૭ નો શરવારી શંકે ૧૮૫૨ શંકવારના રોજ પાર ઊપર એ વાગતે સુપરીન્ટેન્ડેન્ટ રીપેરશની કચેરીનાં શાંભલીલેમે \*

આ અર્થદરની પેલેલી ગલીથી નીશાંનદાર ઊંચર માડોની ગલીમુધી નાંડાની ગલી પાંધવાની હુ \*

શાંનન તથા નજુરી કેટલી લાગમે તેનો અનનાએશની ઇઆદ તથા નકાયા તથા કાંનના હીસાબ દરનીઆંન સુપરીન્ટેન્ડેન્ટ રીપેરશની કચેરીનાં નાવા માર ઊધાડા રેહુ મે તથા તે વીચે પીચુ કાંઈ પુછવુ હમેતો તે પૂણે નાલેન થામે \*

જ શરવથી કની આકડો થોલમે તેલે દર મેકડે રકા ૫ પરનાંલે અવેન અનાનત રામવો નાંઈએ તે અવેન ઇન્વેસ્ટીમેન્ટ કાગલ ઊપર મહી કરવા આંનાંકાંનો કરેથી મરકાર દાંગલ થામે \*

જ શરવથી કની અરજ હમે તે અથવા પીચો કાંઈ અરજ મેંનજુર કરશુન અંતુ સુપરીન્ટેન્ડેન્ટ મારુએકકુલ કરતા નથી\*

નીચાણી

હેનરી—કાનીપીએર,  
 સુપરીન્ટેન્ડેન્ટ રીપેરશ \*

તા. ૩૧ માહે બંનેવારી શંકે ૧૮૫૨ ઇશવી મુકાંન મુખ ઇ સુપરીન્ટેન્ડેન્ટ રીપેરશની કચેરી \*

જાહીર નામા

એસએ જાહીર લિહિલેએ કામ સત્તાનો કરવ્યા વિશેષે મુખ જવાનો અર્જ તારાજ ૭ ફેબ્રુવારી સન ૧૮૫૨ મનવારએ રોજી



















1. Die erste Aufgabe ist die Bestimmung der
   
 2. Die zweite Aufgabe ist die Bestimmung der
   
 3. Die dritte Aufgabe ist die Bestimmung der
   
 4. Die vierte Aufgabe ist die Bestimmung der
   
 5. Die fünfte Aufgabe ist die Bestimmung der
   
 6. Die sechste Aufgabe ist die Bestimmung der
   
 7. Die siebte Aufgabe ist die Bestimmung der
   
 8. Die achte Aufgabe ist die Bestimmung der
   
 9. Die neunte Aufgabe ist die Bestimmung der
   
 10. Die zehnte Aufgabe ist die Bestimmung der

11. Die elfte Aufgabe ist die Bestimmung der
   
 12. Die zwölfte Aufgabe ist die Bestimmung der
   
 13. Die dreizehnte Aufgabe ist die Bestimmung der
   
 14. Die vierzehnte Aufgabe ist die Bestimmung der
   
 15. Die fünfzehnte Aufgabe ist die Bestimmung der
   
 16. Die sechzehnte Aufgabe ist die Bestimmung der
   
 17. Die siebenzehnte Aufgabe ist die Bestimmung der
   
 18. Die achtzehnte Aufgabe ist die Bestimmung der
   
 19. Die neunzehnte Aufgabe ist die Bestimmung der
   
 20. Die zwanzigste Aufgabe ist die Bestimmung der

21. Die einundzwanzigste Aufgabe ist die Bestimmung der
   
 22. Die zweiundzwanzigste Aufgabe ist die Bestimmung der
   
 23. Die dreiundzwanzigste Aufgabe ist die Bestimmung der
   
 24. Die vierundzwanzigste Aufgabe ist die Bestimmung der
   
 25. Die fünfundzwanzigste Aufgabe ist die Bestimmung der

(Zweiundzwanzigste)

26. Die sechsundzwanzigste Aufgabe ist die Bestimmung der
   
 27. Die siebenundzwanzigste Aufgabe ist die Bestimmung der
   
 28. Die achtundzwanzigste Aufgabe ist die Bestimmung der
   
 29. Die neunundzwanzigste Aufgabe ist die Bestimmung der
   
 30. Die dreißigste Aufgabe ist die Bestimmung der

31. Die einunddreißigste Aufgabe ist die Bestimmung der
   
 32. Die zweiunddreißigste Aufgabe ist die Bestimmung der
   
 33. Die dreiunddreißigste Aufgabe ist die Bestimmung der
   
 34. Die vierunddreißigste Aufgabe ist die Bestimmung der
   
 35. Die fünfunddreißigste Aufgabe ist die Bestimmung der

36. Die sechsunddreißigste Aufgabe ist die Bestimmung der
   
 37. Die siebenunddreißigste Aufgabe ist die Bestimmung der
   
 38. Die achtunddreißigste Aufgabe ist die Bestimmung der
   
 39. Die neununddreißigste Aufgabe ist die Bestimmung der
   
 40. Die vierzigste Aufgabe ist die Bestimmung der

41. Die einundvierzigste Aufgabe ist die Bestimmung der
   
 42. Die zweiundvierzigste Aufgabe ist die Bestimmung der
   
 43. Die dreiundvierzigste Aufgabe ist die Bestimmung der
   
 44. Die vierundvierzigste Aufgabe ist die Bestimmung der
   
 45. Die fünfundvierzigste Aufgabe ist die Bestimmung der

46. Die sechsundvierzigste Aufgabe ist die Bestimmung der
   
 47. Die siebenundvierzigste Aufgabe ist die Bestimmung der
   
 48. Die achtundvierzigste Aufgabe ist die Bestimmung der
   
 49. Die neunundvierzigste Aufgabe ist die Bestimmung der
   
 50. Die fünfzigste Aufgabe ist die Bestimmung der

51. Die einundfünfzigste Aufgabe ist die Bestimmung der
   
 52. Die zweiundfünfzigste Aufgabe ist die Bestimmung der
   
 53. Die dreiundfünfzigste Aufgabe ist die Bestimmung der
   
 54. Die vierundfünfzigste Aufgabe ist die Bestimmung der
   
 55. Die fünfundfünfzigste Aufgabe ist die Bestimmung der

56. Die sechsundfünfzigste Aufgabe ist die Bestimmung der
   
 57. Die siebenundfünfzigste Aufgabe ist die Bestimmung der
   
 58. Die achtundfünfzigste Aufgabe ist die Bestimmung der
   
 59. Die neunundfünfzigste Aufgabe ist die Bestimmung der
   
 60. Die fünfzigste Aufgabe ist die Bestimmung der

61. Die einundsechzigste Aufgabe ist die Bestimmung der
   
 62. Die zweiundsechzigste Aufgabe ist die Bestimmung der
   
 63. Die dreiundsechzigste Aufgabe ist die Bestimmung der
   
 64. Die vierundsechzigste Aufgabe ist die Bestimmung der
   
 65. Die fünfundsechzigste Aufgabe ist die Bestimmung der

66. Die sechsundsechzigste Aufgabe ist die Bestimmung der
   
 67. Die siebenundsechzigste Aufgabe ist die Bestimmung der
   
 68. Die achtundsechzigste Aufgabe ist die Bestimmung der
   
 69. Die neunundsechzigste Aufgabe ist die Bestimmung der
   
 70. Die fünfzigste Aufgabe ist die Bestimmung der



SUPPLEMENT  
TO THE  
BOMBAY GOVERNMENT GAZETTE.

---

Published by Authority.

---

MONDAY, 9<sup>TH</sup> FEBRUARY 1852.

---

*TERRITORIAL DEPARTMENT.*

REVENUE.

Consequent on the promulgation of Act I. of 1852, the following Notifications (**A** to **M**) are published for general information :—

**Notifications.**

**A**

Whereas by Section XXI. of Act I. of 1852 the Governor of Bombay in Council is authorized to direct that Anchorage Toll, as prescribed by the said Act, shall be levied at any Port or Ports of the Bombay Presidency, on all Vessels arriving from any other Port or Ports which may be specified by the said Governor in Council ;

It is hereby notified, that such Anchorage Toll as aforesaid shall be leviable in all cases in which Anchorage Fees were levied under Section LVI. of Act I. of 1838, until further orders.

**B**

Whereas by Section XXII. of Act I. of 1852 the Governor of Bombay in Council is empowered to exempt from the payment of Customs Duty certain Articles entered in the Schedules attached to the above Act, the said Governor in Council has been pleased to pass the following Rules :—

All Military, Naval, Medical, Territorial, or other Public Stores, the property of Her Majesty, or of the Hon'ble East India Company, and intended for the use of any other public department, are entitled to Free Entry.

The Articles of Military Equipments and Regimental Necessaries below specified, when intended for the use of the Troops of Her Majesty and the East India Company, are exempted from Duty, but such exemption does not extend to the Military Equipments of Officers, individually or collectively, nor shall such exemption be allowed, unless claimed before the Goods have been removed from the Custom-house. A List of Articles, countersigned by the Officer Commanding the Regiment for the use of which they may be intended, as also a Certificate that the said Articles are solely for Regimental use, must be produced at the time of passing the said Articles through the Custom-house.

**I. Regimental or Military Accoutrements :**

Regimental Colors, made up Uniform Clothes, Cloaks, Sword-knots, Sword-belts, Shabracques, Pouches and Belts, Bayonet-belts, Belt-plates, Carbine Swivels, Fusil Slings, Breast-plates, Whistles and Chains, Firelock Slings, Drum Carriages, Fifes and Cases,

Waist-belts, Epaulettes, Silver and Gold Lace, Sabretasches, Saddle-seats, Flaps and Girths, Stirrup Leathers and Irons, Cruppers, Surcingles, and Cross-reins, Holsters, Horse-shoes, Horse-shoe Nails, Horse-shoe Cases, Carbine Buckets, Bridle-bits, Head-stalls, Reins, Bridoons, Straps, Farriers' Chains, Artillery Harness, materials for repairing Saddlery, Pioneer Appointments of all sorts.

II. Regimental Necessaries, and materials for the Men, comprising—

Broad Cloth, Shalloon, Calico, Canvas, Boots, Shoes, Shirts, Socks, Stocks, Braces, Knap-sacks, Forage Caps and Peaks, Gloves, Flannels, Blacking, Pipe-clay, Brushes, Sponges, Combs, Scissors, Razors, Soap, Tobacco, Hooks and Eyes, Buttons, Thread, Needles, Thimbles, Lace, Knives and Forks, Spoons, Towels, Mess Tins, Wines and Spirits, when imported for the exclusive use of Regimental Canteens.

III. Band Instruments and Music, for the use of Regiments.

IV. Stationery, for Regimental Schools.

The same privilege as is conceded to the Troops of Her Majesty, and the East India Company, are made applicable, under the same restrictions, to the Army of H. H. the Nizam, under Certificates signed by the Resident at Hyderabad.

Nautical Instruments, the property individually or collectively of Naval Officers of Her Majesty's or the Hon'ble East India Company's Services, are free.

All Marine Stores, being articles actually required to be used on board a ship, for working such ship, or for the renewal or repair of any part of her rigging, or other nautical equipments, may be exported, free of Duty, in such quantities as the Collector may, at his discretion, in each case determine; but such free exportation will not be allowed without a Permit, signed by the Collector, his Deputy or Assistant, and all applications for Permits must be made in writing, and signed by the Commander of the vessel.

All Ships, Boats, Canoes, and other vessels of every description, which may be built and launched at any Port within the Bombay Presidency, shall, with their respective sailing and other equipments, be exempted from Duty.

Provisions, required for actual consumption on board a ship, may be exported free of Duties, in such quantities as the Collector may determine with reference to the tonnage of the ship, and the length of voyage on which she is about to depart.

Nutmegs, Mace, and Cloves will be admitted to free entry at the Ports of the Bombay Presidency, on the Importer producing a Certificate, signed by a competent Officer, attesting that they are the produce of any British Colony, or of any place under the Government of the East India Company, including the Straits of Malacca, the Tenasserim Provinces, and the Province of Arracan, provided that the said Spices shall be imported direct from the place of their growth.

Potatoes, Greens, Pot-herbs, Garden-stuffs, and fresh Fruit, generally, in the usual acceptation of the term, as also Eggs and fresh Fish, shall be exempted from all Duty on Import and Export.

All Cotton and Silk Piece Goods, Cotton Twist and Yarns, the produce or manufacture of Foreign Native States in alliance with, or dependent on, the British Government, are exempted from the enhanced Duties leviable on Goods of Foreign manufacture, and shall be liable at the Ports of the Bombay Presidency to the same rate of Duty as similar articles, the produce of the United Kingdom, or of any other British Possessions.

The following articles are also specially exempted from Duty :—

Paper for printing the Holy Scriptures.

Sacramental Plate, and Priests' Vestments, Seeds and Plants consigned to the Agri-Horticultural Society.

Specimens illustrative of Natural Philosophy or History.

Models of Machinery are free when intended as *models*, and not as Toys or Ornaments.

Philosophical Apparatus, imported for the use of Literary and Scientific Societies, and not for sale, either to the Members or the public.

Cotton Seed, intended for sowing purposes in India.

Family Portraits.

Curiosities (to be admitted as such at the discretion of the Collector).

C

The Hon'ble the Governor in Council has been pleased to pass the following Rules, as

empowered by Section XXV. of Act I. of 1852, for granting abatement of Customs Duties on damaged Goods :—

1. In ordinary cases, the amount of damage sustained on Goods shall be determined by the Government Customs Appraiser, but, if it shall appear to the Collector in special cases that the Appraiser is incompetent to estimate the damage correctly, the Collector may refer such cases to two or more persons, whom he may consider to be competent judges.

2. If it appear expedient to the Collector to assess the Customs in any case on the amount realized by the *bonâ fide* sale price of Goods declared to be damaged, and proved to be so on inspection by a Customs Officer, he is authorized to adopt this course, provided that the damaged Goods have remained until sold under the cognizance of the Customs Authorities.

3. To give due facility for the sale of such Goods, they may be sold by Public Auction, with the consent of the Collector, on the Custom-house premises, or the Collector of Customs may, at his discretion, allow damaged Goods, in special cases, to be removed from the Custom-house, previous to being sold, and Customs shall then be assessed on the actual sale price, provided that the Goods be sold after having been duly advertised in the local public prints, at some one of the established Auction Rooms ; the full amount of Customs must, in such cases, be deposited before the Goods are removed from the Custom-house, and the original Accounts Sale must be produced before any abatement of Customs is made.

## D

Whereas under Section XXXV. of Act I. of 1852, seven-eighths of the Customs levied on Imports are allowed, with the sanction of Government, to be repaid as Drawback upon re-export by Sea, It is notified that the Governor in Council hereby sanctions the payment of such Drawback, on the conditions described in the above Section, on the re-exportation of Goods destined to any Port beyond the Continent of India, and not included in the Dominions of the East India Company ; such Drawback may also be paid on the re-exportation of Goods to Aden, or to any Port in the Straits of Malacca, the Tenasserim Provinces, or the Province of Arracan.

## E

Whereas by Section XLVII. of Act I. of 1852, the Governor in Council is empowered to make Rules for landing and shipping Goods through the Custom-house, the said Governor in Council is pleased to pass the following Rules :—

No Goods shall be permitted to pass for importation or exportation at any Port without a Pass-note, signed by the Collector or Deputy Collector, or one of the Assistant Collectors, or the principal Officer of Customs at the time present at such Port, and the said Pass-note shall be in such form, and undergo such examination previous to being presented for the purpose of passing Goods, as the Collector of Customs may from time to time determine.

## F

Whereas by Section LII. of Act I. of 1852 the Governor of Bombay in Council is empowered to authorize Officers to grant Port Clearances to vessels departing from any Port of the Presidency of Bombay, the said Governor in Council hereby authorizes the Collector of Customs in Bombay, or, in his absence, his Deputy or Assistant, to grant the same ; and, as regards Continental Ports, the Collector of Continental Customs and Excise, his Deputy or Assistants, or the principal Officers of Customs at those Ports.

## G

Whereas by the concluding part of Section LII. of Act I. of 1852 the Governor of Bombay in Council is empowered to dispense with the production of one or more of the Certificates enumerated in that Section, in certain cases, It is hereby notified that Steam-vessels belonging to the Bombay Steam Navigation Company, or other private Companies or individuals, employed in coasting trips to or from Ceylon, Cambay, and Kurrachee, or any intermediate Port, are exempted from the production of those documents, on condition that the owners of those vessels enter into a Bond, to be renewed annually, making them answerable for all demands from the several Government Offices from which Certificates are required by this

Act. A Certificate from the Senior Magistrate of Police must, however, be produced once in every month, and a Certificate from the Registrar of Seamen will be necessary on every occasion of applying for a Port Clearance.

**H**

The following are declared by the Right Hon'ble the Governor in Council, by the authority vested in him by Section LVII. of Act I. of 1852, to be Ports or places for landing and shipping of Merchandize, Baggage, &c. within the Presidency of Bombay :—

*On the Island of Bombay.*

- 1st, *Town Bunder, or Fort Custom-house.*—For all Goods imported from or to be exported to places or Ports not belonging to the East India Company, and for all Goods imported, or to be exported, on square-rigged vessels, excepting always such Goods as are hereinafter specially prohibited.
- 2nd, *Musjid Bunder.*—For all Goods imported from or to be exported to places and Ports within the Dominions of the East India Company, in country and coasting craft, excepting always such Goods as are hereinafter specially prohibited.
- 3rd, *Arthur Bunder, Colaba.*—For all Goods, excepting such as are hereinafter specially prohibited.
- 4th, *Jamsetjee Bunder, Colaba.*—For landing and shipping Cotton only.
- 5th, *Apollo Bunder.*—For landing Cotton and Wool only, as also Baggage and Stores not dutiable.
- 6th, *Boree Bunder.*—For landing and shipping Grain, Pulse, Vegetables, Fruits, Salt Fish, and Coals, and no other Merchandize.
- 7th, *Colee Bunder.*—For landing and shipping Live Stock, Grain, Pulse, Vegetables, Fruits, Fish, whether salt or fresh, Fishing Nets, Coals, and no other Merchandize.
- 8th, *Carnac Bunder.* }—For landing and shipping all Goods imported from, or to be ex-
- 9th, *Clare Bunder.* } ported to, Ports and places within the East India Company's Dominions, in country and coasting craft, excepting such as are hereinafter specially prohibited; also for the importation or exportation of all Live Stock, Grain, Pulse, Fruits, Vegetables, Fire-wood, Rafters, Bamboos, Tattas, Chunam, Stones for building or ballast, Tiles, Bricks, Country Pottery, Hay, Straw, Charcoal, Coals, and Cotton.
- 10th, *Mazagon Bunder.*—Fire-wood, Coals, Charcoal, Hay and Straw, and no other Merchandize.
- 11th, *Tank Bunder.*—Timber only.
- 12th, *Candlee.* }
- 13th, *Scuree.* }—Fire-wood, Batty, Hay, Straw, Pottery, Tattas, and no other Merchandize.
- 14th, *Sion.* }
- 15th, *Mahim.*—All exports and imports on country or coasting craft, except such as are hereinafter specially prohibited.
- 16th, *Worlee.*—Fish, whether salt or fresh, Fishing Nets, Fire-wood, Batty, and Chunam.
- 17th, *Chowpatty.* }
- 18th, *Bach Bay.* }—Fire-wood, Chunam, and Stones for building or ballast only.

19th. The undermentioned Goods are hereby prohibited from being landed at, or shipped from the Town Custom-house, Musjid, and Arthur Bunders, unless specially permitted by the Collector of Customs :—

- |                |                               |                                       |
|----------------|-------------------------------|---------------------------------------|
| 1. Live Stock. | 8. Bamboos.                   | 13. Bricks.                           |
| 2. Hay.        | 9. Charcoal.                  | 14. Tiles.                            |
| 3. Straw.      | 10. Cadjans.                  | 15. Fish (salted or fresh).           |
| 4. Fire-wood.  | 11. Grain and Pulse of all    | 16. Fishing Nets.                     |
| 5. Timber.     | Sorts.                        | 17. Vegetables.                       |
| 6. Rafters.    | 12. Stones for building, pav- | 18. Fresh Fruits, and Garden Produce. |
| 7. Tattas.     | ing, or ballast.              | 19. Coals.                            |

20th. The following Goods are also prohibited, unless specially permitted by the Collector :—

*Town Custom-house Bunder.*

- |                          |            |                |
|--------------------------|------------|----------------|
| 1. Fire-wood.            | 3. Pitch.  | 6. Rosin.      |
| 2. Gunpowder, other than | 4. Tar.    | 7. Turpentine. |
| in small Canisters.      | 5. Dammer. |                |



21st. Personal Baggage and Stores may be landed or shipped at the following Bunders, if not subject to Duty :—

- |                       |                    |
|-----------------------|--------------------|
| 1. Town Custom-house. | 6. Mazagon Bunder. |
| 2. Arthur Bunder.     | 7. Clare Bunder.   |
| 3. Apollo Bunder.     | 8. Carnac Bunder.  |
| 4. Musjid Bunder.     | 9. Mahim Bunder.   |
| 5. Boree Bunder.      |                    |

22nd. Dutiable Baggage and Stores will be passed only at the Town Custom-house, unless specially permitted by the Collector, or Deputy Collector.

23rd. Cotton imported from the Company's Ports, and intended to be pressed at the Apollo Press Company's Screws, may, as a special case, be landed at the Town Custom-house, until further orders.

24th. Opium is strictly prohibited from being landed or shipped at any other place than the Town Custom-house Bunder.

25th. Tobacco is prohibited from being landed or shipped at any other place than the Town Custom-house and Musjid Bunders, unless under a special Permit from the Collector of Customs.

26th. Timber, Rafters, Bamboos, Tattas, Hay, and Straw, may, until further orders, be landed at the Belvidere Bay.

### I

Whereas by Section LIX. of Act I. of 1852 the Governor in Council is empowered to make Rules for the Anchoring of the Coasting and Country Craft of the British Territories, for the delivery of Manifests of the Cargo of such vessels, and for the landing of Goods therefrom, and shipping and transhipping of Goods therein, it is hereby notified, that the said Governor in Council has been pleased to determine that the several General Rules and provisions made by Act I. of 1852 for the delivery of Manifests, and landing and shipping and transhipping of Goods, shall be held to be applicable to Country and Coasting Craft, with the exception of the provisions of Sections L. and LI. of the said Act ; and he is further pleased to pass the following Rules, specially applicable to such Craft :—

1. When Goods are delivered direct from Country Craft on the Wharves of any Custom-house, no Boat-note will be required ; but if the Goods be landed in a Cargo-boat, then, previous to permission being granted to land such Goods, the number and description of the Packages, or, if loose Cargo, the quantity, must be reported, and a separate Permit obtained for landing each boat-load.

2. The periods within which all Import Cargo shall be discharged from Country Craft is limited to ten days, the Collector of Customs having authority to extend this period at his discretion ; if such extension is not granted, the Collector of Customs, or principal Custom-house Officer at any Port, is hereby authorised to cause the same to be landed and warehoused for the security of the Duty and Freight, and other charges, giving his Receipt to the Tindal or Nakhoda for the said Goods.

3. Distinct and separate Stations from time to time shall be fixed by the Collector of Customs at Bombay, with the sanction of the Right Hon'ble the Governor in Council, for Anchorage of Vessels discharging, and those receiving Cargo at the Port of Bombay, as also, whenever such an arrangement is considered expedient, for the Anchorage of Vessels from particular Ports, or having particular Cargoes.

4. All Country and Coasting Craft, on arriving in any Port, shall take up such berths on their proper Anchorage Stations as may be pointed out to them by the Custom-house Authorities.

### J

Whereas by Section LXII. of Act I. of 1852 the Governor of Bombay in Council is authorised to determine the period after which Rent shall be chargeable on Goods lying on the Custom-house Wharves, or other authorized Landing-places, or in the Government Warehouses, and also to fix the rate of such Rent, it is hereby notified, that the said Governor in Council has been pleased to determine that at the Port of Bombay, Goods lying or deposited on the Custom-house Wharves or Piers, or in the Sheds, shall become liable to the payment of the following Fees, on the expiration of the time specified against each locality :—

On the Pier of the Town Custom-house, after 24 hours.  
 Export Side Town Custom-house, " 4 days.  
 Import Side ditto, " 7 "  
 Musjid Bunder, " 3 "  
 and that Goods placed in the Custom-house Warehouses shall in like manner become liable to Rent from the day they may have been deposited.

The following are the rates at which the Fees or Rent above referred to will be chargeable:—

Enumeration of Goods.	Rent per Week.		Enumeration of Goods.	Rent per Week.	
	<i>As. p.</i>	<i>Per</i>		<i>As. p.</i>	<i>Per</i>
Agates, or Amethysts ..	3 0	Case.	China Ware, Small Case ..	1 0	Small Case.
Alkaline... ..	3 0	Ton.	" " Box ..	0 6	Box.
Aloes ..	0 2	Cwt.	Cinnamon ..	0 9	Cwt.
Amber and Beads ..	1 0	Box.	Cinnabar ..	0 2	"
Ambergris ..	1 0	"	Cloves ..	0 9	"
Annatto... ..	0 6	Cwt.	Cochineal ..	0 9	"
Annisced ..	6 0	Ton.	Coculus Indicus..	6 2	"
Annisced Star ..	2 0	Box.	Coffee, in Bags and Casks	5 0	Ton.
Antimony ..	3 0	Ton.	Columbo Root ..	0 2	Cwt.
" Ore ..	2 0	" [Chest.	Coral ..	2 0	Package.
Arrowroot ..	6 0	Case, Case, or	Cornelians and Beads ..	2 0	"
Arsenic ..	4 0	"	Cotton Goods ..	2 0	Bale.
Assafoetida ..	0 6	Cwt.	" per Trunk or Case	2 0	Package.
Almonds ..	8 0	Ton.	" Wool, Press-packed	2 0	Bale.
Alum ..	6 0	"	" " not "	1 0	"
Baggage Chests, Couches	2 0	Package.	Cowries ..	3 0	Ton.
" Presents, Samples, &c.	1 0	"	Cubebs ..	0 6	Cwt.
Bags, Empty ..	0 6	Score.	Cummin Seeds... ..	0 3	"
Barilla ..	2 0	Ton.	Cement ..	1 0	Barrel.
Bark, Jesuits', or Peruvian	0 9	Cwt.	Chaises, four-wheeled ..	8 0	Each.
" " in Chests	3 0	Chest.	" two-wheeled ..	4 0	"
" " in Half-chest	2 0	Half-chest.	Cheese, Loose ..	0 6	Cwt.
Beads, Jet, or other kinds, except	1 0	Package.	" Basket of 1 Cwt.	1 0	"
Amber and Cornelian ..	4 0	Ton.	" " 2 Quarters ..	0 6	½ "
Betelnut ..	4 0	Ton.	" Box or Case, 1 Cwt. 2	1 0	¼ "
Beef and Pork, Tierce ..	15 0	Score.	Quarters ..	8 0	Each.
" Barrel ..	10 0	"	Colours, in Casks ..	8 0	Ton.
Beer, in Bulk, or Kilderkin	1 0	Each.	Copper ..	1 0	"
" Barrel ..	1 6	"	Cotton ..	1 0	Bale.
" Hogshead ..	2 0	"	Cordage ..	6 0	Ton.
" Puncheon ..	4 0	"	Dates ..	1 0	Cwt.
" Butt ..	4 0	"	Dragon's Blood..	2 0	Chest.
" Bottles, packed in 3-doz.	0 6	"	Drugs, under 2½ Cwt. ..	2 0	"
Casks or Cases	0 6	"	" above ..	3 0	"
" " packed in 4 to 5	1 0	"	Earthenware ..	2 0	Crate.
doz. ditto...	1 6	"	" " ..	0 6	¼ Crate.
" " packed in 6 to 7½	1 6	"	" " ..	2 0	Case.
doz. ditto..	2 0	"	Fans ..	2 0	"
" " packed in 8 doz.	2 0	"	Feathers ..	0 2	Cwt.
Casks or Cases	2 0	"	Frankincense ..	8 0	Ton.
" " packed in 9 to 10	2 6	"	Flax ..	1 0	Barrel.
doz. ditto.	0 3	Bag.	Flour ..	0 2	Cwt.
Bread ..	3 0	Thousand.	Gallingal ..	0 6	" [& under.
Bricks ..	2 0	Ton.	Galls ..	2 0	Case of 2½ Cwt.
Brimstone ..	2 0	Bale or Case.	Gamboge ..	3 0	" above "
Camel Hair ..	1 0	Box.	Genlian Root ..	2 0	" of 2½ Cwt.
Candles ..	5 0	Ton.	" " ..	3 0	& under.
Cables, Coir ..	2 0	"	" " ..	12 0	" above "
" Yarn ..	2 0	"	Ginger ..	0 3	Cwt.
" Rope, under 6 inches	2 0	"	Ginsing Root ..	2 0	Case.
" Hemp Rope ..	1 0	"	Gums ..	3 0	" of 2½ Cwt.
" Iron ..	0 2	Cwt.	" " ..	1 0	and under.
Camphor ..	0 6	Thousand.	Glass in Box ..	2 0	Crate.
Canes, Common, Rattans	1 0	"	" in ¼ " ..	2 0	Chest.
" Ground, Rattans ..	0 6	Cwt.	Gums ..	5 0	Score.
Cardamoms ..	0 6	"	Hams, Loose ..	2 0	Case.
Cassia Lignea, and Buds	2 0	Chest.	Hats ..	8 0	Ton.
" Chests ..	1 0	Half-chest.	Hemp ..	18 0	Hundred.
" Half-chests ..	0 3	Cwt.	Herrings, Barrel ..		
Castor Seeds ..	0 2	"			
Chillies ..	0 2	"			
China Root ..	2 0	Case.			
" Ware, Case ..					

Enumeration of Goods.		Rent per Week.		Enumeration of Goods.		Rent per Week.	
	<i>As. p.</i>	<i>Per</i>			<i>As. p.</i>	<i>Per</i>	
Hides, Buffalo, Cow, or Ox	5 0	Ton.		Seeds	48 0	Hundred qrs.	
" or Skins	6 0	Hundred.		Senna	0 2	Cwt.	
Horns	8 0	Ton.		Shawls	4 0	Hundred of	
" Tips, in hhd.	4 0	Hundred.				sorts.	
Indigo	2 0	Chest.		Shellac	0 2	Cwt.	
Ivory, Elephant and Sea Horse				Silk, raw, China or Bengal	4 0	Bale or Box.	
Teeth	2 0	Cwt.		" Piece Goods	4 0	"	
Iron	1 0	Ton.		Soap, Box, under 56 lbs.	0 6	Box.	
Junk	3 0	"		" " 56 to 112 lbs.	1 0	"	
Lac, Dye or Lac, Lake	2 0	Chest of 2½ cwt.		" Chest, under 3 cwt.	2 0	"	
		and under.		" " from 3 to 5 cwt.	3 0	"	
" " "	3 0	" above "		Soy, in chest	2 0	Chest.	
Lacquered Ware	1 0	Package.		" in Puncheon	5 0	Puncheon.	
Lead, Pig	1 0	Ton.		" in Hogsheads	3 0	Hogshead.	
" Shot, in Barrels 3 to 20				Stick, Lac	0 2	Cwt.	
" cwt.	1 0	Barrel.		Store, Ship, Packages, old	0 6	Package.	
" Roll, Sheet, from 4 to 7				Succades, under 1 cwt.	0 6	Cwt.	
" cwt.	1 0	Roll.		" above "	1 0	"	
" Black	1 0	Ton.		Sugar, in Bags	0 3	Bag.	
" Red	1 0	"		" in Baskets, & under 5 cwt.	0 6	Each.	
" White	1 0	"		" " above "	0 9	"	
Mace	2 0	Chest.		Spelter	1 0	Ton.	
Mats	0 3	Bundle, com-		Staves, in Packs, Pipe or Leager.	10 0	Score.	
		mon size.		" Hogsheads	5 0	"	
Mother of Pearl Shells	2 0	Ton.		Spirits (see Wines).			
Munjeet, in Bale	0 2	Cwt.		Steel, Bar	1 0	Ton.	
" in Bundles	0 6	"		" Bundle	1 0	Cwt.	
Musk, Chests	2 0	"		Sugar Candy	0 2	Tub.	
Myrabolams	0 3	"		" " "	0 0	½ "	
Mineral Brown	6 0	"		Shark-fins and Fish-maws	1 0	Cwt.	
Mustard, Keg	1 0	Keg.		Tamarind	0 3	"	
" not exceeding 28 lbs.	0 6	"		Terra Japonica	3 0	Ton.	
Nankeen Cloth	0 9	Case.		Tea, in Packages of 200 lbs. and			
Nails, Keg, 2 quarters	36 0	Hundred.		" upwards	5 0	Package.	
" " 1 cwt.	0 9	Cwt.		" lbs.			
" Cask, 1½ to 2 cwt.	1 0	Cask.		" " 130 and under 200	4 0	"	
Nutmegs	2 0	Chest.		" " 80 " 130			
Nux Vomica	0 3	"		" " 60 " 80	3 0	"	
Oil, Castor	0 9	Cwt.		" " 40 " 60			
" Coconut	4 0	Ton.		" " 30 " 40	2 0	"	
" Cassia	2 0	Chest.		" " 20 " 30			
" Naptha	2 0	"		" " under 20 lbs.	0 6	"	
Opium	2 0	"		Tin	1 0	Ton.	
Paddy, in Bags	0 3	Bag.		Tinical	0 3	Cwt.	
Pepper	0 3	Robin.		Tortoise-shell	1 0	"	
" Long and Cayenne	0 6	Bale.		Turmeric	0 3	"	
Pickles	0 6	Package.		Tar, Barrel	6 0	Hundred.	
Paint	12 0	Ton.		Tallow	6 0	Ton.	
Pearl Barley	1 0	Cwt.		Tobacco	1 0	Cwt.	
Pitch, Barrel	6 0	Hundred.		" Cheroots	2 0	Ten Thousand.	
Quicksilver, Iron Bottles	0 6	Bottle.		Vermillion	1 0	Cwt.	
Rhubarb	1 0	Chest of one		Wax, Bees'	0 4	"	
		pecul.		" Sealing	0 6	"	
" " "	2 0	" above "		Wines or Spirits, in Pipe, Butt,			
Rice	0 3	Bag.		" or Puncheon	4 0	Each.	
Rosin, Barrel	6 0	Hundred.		" " in Hogshead	2 0	"	
Raisins	0 9	Cwt.		" " in Packages of			
Saffron	2 0	Box of 2½ Cwt.		" 1 Dozen Bottles	3 0	12 Dozens.	
		and under.		Wood, Ebony	1 6	Ton.	
" " "	3 0	" above "		" Sappan	2 0	"	
Safflower	5 0	Ton.		" Sandal	2 0	"	
Sago, in Bags	0 3	Bag.		Wool (see Cotton Goods).			
" in Boxes	1 0	Box.		Woolens	2 0	Bale.	
Saltpetre	0 3	Bag.		" Case	2 0	Case.	

K

Whereas by Section LXV. of Act I. of 1852 the Governor in Council is empowered to make Rules for the landing and shipping of Baggage and Parcels, and to determine the amount to be charged as a Fee for landing the same, when such landing is effected with consent of the parties interested by the Custom-house Authorities, the following Rules are accordingly made:—

1. The term "Baggage" is to be understood as applying to such Goods only as accompany the proprietor, and are intended for his or her personal or family use.

2. The articles of which any Baggage may be composed need not be specified in the General Manifest of the vessel.

3. It is to be understood that all Baggage is liable to examination by the Custom-house Authorities. The Collector of Customs may, however, at his discretion, give a Pass-note, exempting Baggage from such examination.

4. Baggage in actual use is entitled to free entry, but all dutiable articles that have not been used shall pay Customs, excepting such portion of Wearing Apparel, Provisions, and trifling personal articles; as may be exempted at the discretion of the Collector. Furniture, Cooking Utensils, Tents, Fowling Pieces, Pistols, Gold and Silver Ornaments, Musical Instruments, Carriages, Saddlery, Glass, Crockery, and Plate, are to be considered as Baggage when they have been used in this country by the party importing them, and are intended for his or her personal or family use. If they have not been used in this country, the articles above enumerated will not be free of Duty.

5. When Baggage is required to be landed direct from vessels in the Harbour, it must be examined by a Customs Officer on board; all Baggage not examined on board must pass through the Custom-house, unless specially exempted by the Collector.

6. Baggage may, at the option of the owners thereof, be left on board of the Hon'ble Company's Mail Steamers, or regular passenger vessels, and will, on being made over to the Customs Officers on board, (whose receipt for the same must be passed,) be brought on shore in the Custom-house Boat, and in that case will be subject to a payment of two (2) annas per Package.

7. Parcels forwarded by the Mail, or by private individuals, are to be passed under the same Rules as dutiable Baggage, and, when brought on shore in the Custom-house Boat, they will be subjected to a charge of two (2) annas on each Parcel for landing.

## L

Whereas by Section LXVIII. of Act I. of 1852 the Hon'ble the Governor in Council is empowered to order a special Establishment of Boats to be maintained for landing and shipping of Merchandize, or to license and register the Cargo-boats plying in any Port, it is hereby notified, that the said Governor in Council has been pleased to direct that no Cargo-boat shall ply in the Port of Bombay without special License, granted by the Collector of Customs.

## M

It is hereby notified, with reference to Section LXIX. of Act I. of 1852, that an Establishment of Officers is maintained at the Port of Bombay for the purpose of watching the unloading and lading of Vessels.

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

H. E. GOLDSMID, Secretary to Government.

*Bombay Castle, 4th February 1852.*