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NOTIFICATION.

Bombay Castle, 4th August 1831.

GENERAL DEPARTMENT.

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

Bombay Castle, 18th January 1832.

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

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

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

NOTICE.

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

Bombay, 5th April 1848.

J. G. LUMSDEN, Secy. to Govt.

MARINE DEPARTMENT.

The Right Honorable the Governor in Council is pleased to notify, that, during the ensuing season, the MONTHLY MAILS to Suez, and the MID-MONTHLY MAILS to Aden, will be closed on the evenings of the undermentioned days, viz :—

28th September,	to Suez.
14th October,	to Aden.
28th October,	to Suez.
14th November,	to Aden.
28th November,	to Suez.
14th December,	to Aden.
28th December,	to Suez.
13th January,	to Aden.
27th January,	to Suez.
14th February,	to Aden.
28th February,	to Suez.
14th March,	to Aden.
28th March,	to Suez.
14th April,	to Aden.
28th April,	to Suez.

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

T. MAUGHAN, Lieutenant Colonel,
Secretary to Government.

Bombay Castle,
12th August 1854.

PROCLAMATION.

BOMBAY TO WIT.—By virtue of a Precept to me directed, I hereby proclaim and give notice, that the SESSION of OYER and TERMINER, and GENERAL GAOL DELIVERY, will be holden before the Supreme Court of Judicature at Bombay, at the Court House, on Monday the 25th day of September instant, at 11 o'clock in the forenoon, for the trial of all Treasons, Murders, and other Felonies, Perjuries, Trespasses, and other Crimes and Misdemeanors, had, done, or committed within the Town and Island of Bombay, and the Limits thereof, and the Factories subordinate thereto; and also to inquire, hear, and determine, in like manner, all Treasons, Murders, Felonies, Forgeries, Perjuries, Crimes, Extortions, Misdemeanors, Trespasses, Wrongs, Oppressions, had, done, or committed by any of Her Majesty's British Subjects in any of the Territories which now are subject to, or dependent upon the said Government of Bombay, or within any of the Dominions of the Native Princes of India in alliance with the said Government.

And also, that at the same time and place will be holden a Session of Admiralty, for the trial of all Treasons, Murders, Piracies, Robberies, Trespasses, Misdemeanors, and other Crimes and Offences, had, done, perpetrated, or committed on the High Seas.

And I hereby give notice to all persons bound to prosecute and give evidence at the above Sessions, or in any way concerned therein, that they are to attend at the time and place above mentioned, and not to depart without leave of the Court.

And I hereby give notice to all Justices of the Peace, Coroners, Escheators, and also all Chief Constables and Bailiffs of the Town and Island of Bombay and the Limits thereof, that they be then and there in their own persons, with their Rolls, Records, Indictments, and other Remembrances, to do those things which to their offices in that behalf appertain to be done.—Dated this 8th day of September 1854, and in the Eighteenth year of the Reign of Her Majesty Queen Victoria.

F. LEGGETT,
Sheriff.

Notice

Is hereby given, that persons desirous of entering into contracts for SUPPLYING such ARTICLES of PROVISIONS embraced in the following Schedules as may be required by the Commissariat Department at Aden, from the 1st January to 31st December 1855, may, on application at this Office from 10 A. M. till 5 P. M. daily (Sundays excepted), obtain copies of the Schedules or lists of prices, and such information relating thereto as they may require:—

- No. 1, For Fresh Meat, for one year.
- No. 2, For Medical Comforts, Provisions, &c., for one year.
- No. 3, For Flour and Wheat, for one year.
- No. 4, For Grain, for one year.
- No. 5, For Spices, &c., for one year.
- No. 6, For Brandy, Gin, &c., for one year.
- No. 7, For Stationery, for one year.
- No. 8, For Forage, &c., for one year.
- No. 9, For Water, brackish and sweet, of Aden wells, for one year.
- No. 10, For Hospital Clothing, for one year.
- No. 11, For Camels, with Puckauls and Drivers complete, to supply extra brackish Water to the European Soldiers for sanatory purposes, for one year.

2. Sealed tenders for the contracts will be received at this Office and that of the Deputy Commissary General in Bombay, on the 5th day of October 1854, at 1 o'clock precisely, and will be opened in the presence of such parties as are in attendance on the day and hour specified, and no tenders will be received afterwards, when tenderers will be required to offer a per-centage above or below the prices exhibited in the above lists at which the supply will be made, on the understanding that the articles supplied are to be of unexceptionable quality, and are to be delivered, in the first instance at the Commissariat Stores at Aden if required, and afterwards to the indenting Departments, in good condition, free of all charges beyond the stipulated price, in such number or quantities as may from time to time be demanded, and that the same are liable to examination and rejection by the executive Commissariat Officer, or by the indenting or receiving Officer; or by a Committee of Officers appointed on the part of Government, in the event of the contractor being dissatisfied with the decision of the above Officers, or either of them; it being understood that the decision of such Committee is to be final, and binding on all parties.

3. It is to be clearly understood, that such of the articles specified in the Schedules as form part of the Rations for European Soldiers, or Hospital Diet, are to be supplied under the rules laid down in the G. G. O. No. 613 of the 10th October 1853, and No. 33 of the 11th January 1854, copies of

which may be seen at this Office and that of the Acting Deputy Commissary General in Bombay.

4. Parties willing to undertake a contract for Liquor, &c. are required to send in two tenders for the same, viz. one on the usual terms and the other on the condition of receiving empty Bottles, not required by the Commissariat Department at Aden, at the following rates:—

Bottles, quart, at (1) one Rupee per dozen.
" pint, at (12) twelve Annas per dozen.

5. No person will be allowed to tender for any contracts unless he previously deposits, in this and the Acting Deputy Commissary General's Office in Bombay, in cash, the sum exhibited opposite the Schedule referring thereto, which sum will be forfeited in the event of delay, evasion, or refusal on his part to execute the necessary deed of contract when required to do so, on his offer being accepted; in which latter case he must be prepared to give unexceptionable bonded security to the further amount shown opposite each Schedule, which, together with the amount previously deposited, will be held as a guarantee for the due fulfilment of his contract.

	Deposit in Cash.	Bonded Security.
For List No. 1, Co.'s Rs. 2,891		Co.'s Rs. 11,564
" No. 2, " 436		" 1,745
" No. 3, " 1,763		" 7,052
" No. 4, " 1,826		" 7,305
" No. 5, " 1,253		" 5,013
" No. 6, " 31		" 124
" No. 7, " 33		" 133
" No. 8, " 247		" 990
" No. 9, " 355		" 1,420
" No. 10, " 119		" 478
" No. 11, " 118		" 470

6. Contractors must comply immediately with all emergent demands, and meet others of less urgency within the periods stated in the requisitions made upon them; they must further invariably keep on hand a sufficient stock of every article, to the extent of 3 and 6 months' consumption, as particularised at the foot of every Schedule; in failure whereof, or if any supply be condemned by a Committee of Officers as aforesaid, the articles, or such others as may be required in lieu thereof, shall be purchased by this Department without delay, at their risk and cost, if it be considered expedient to do so; and in all such cases (30) thirty per cent. upon the amount of expenses incurred, or a fine of from Rupees (50) fifty to (500) five hundred, at the option of the executive Commissariat Officer, will be levied as liquidated damages for each and every such breach of contract; it being understood that the simple condemnation of any article by a Committee constitutes such a breach of contract, whether the rejected articles be replaced by the contractors or by this Department; in every such case, also, it is to be understood that the contract or contracts may be cancelled, at the discretion of the Commissary General; and that if the contract be so cancelled, the cash deposit stated opposite each Schedule, as mentioned in paragraph 5 of the Notice, will be forfeited to Government.

7. It is also to be understood that any negligence, evasion, or refusal on the part of contractors to make supplies or obey orders, or any attempt on their part, or that of their agents, to pass off articles of an inferior quality in lieu of those they are bound to supply, or any neglect to deliver them at the time and place ordered, will subject them in every instance to be fined to the extent of Rupees

(25) twenty-five, at the option of the executive Commissariat Officer, from whose order an appeal may be made to the Commissary General, whose decision is final; but in cases when it may be deemed fit to exact any of the penalties provided for in the preceding clause, no further penalty shall be leviable under this clause.

8. It is further to be understood that the contractors, or accredited agents on their part, approved of by the executive Commissariat Officer, are to attend at this Office daily, during the usual hours of business, *i. e.* from 10 A. M. to 5 P. M. (Sundays excepted), also at such other time or place as may be indicated by the executive Commissariat Officer, when he may consider it desirable for the public Service to require such attendance.

9. Any party or parties whose offers are accepted will be required to produce unexceptionable securities, for the approval of the Civil or Cantonment Authorities, as may be necessary, within fifteen days from the date of the acceptance of his or their offers, or the contracts will be resold. No reason will be stated for rejecting any security offered.

10. Bills for articles supplied under this contract must be preferred within one month from the date of the delivery of the articles, in default of which the contractor or contractors will forfeit the full value of the supplies for which bills have not been ~~referred~~ referred, unless it clearly appear, to the satisfaction of the Commissary General, that the delay was unavoidable.

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

12. Any party who, after offering for a contract, fails to furnish the necessary security, as provided for in clause 9 of this Notice, will be interdicted from offering on future occasions, unless he produces a document from some person of unexceptionable character and sufficient means, guaranteeing the due execution and performance of the contracts on his or their offers being accepted.

13. The annual outlay on the above contracts is estimated as follows, viz:—

Schedule No. 1	Rs. 57,818 12 0
" No. 2	" 8,727 2 3
" No. 3	" 35,260 11 5
" No. 4	" 36,524 15 11
" No. 5	" 25,067 5 5
" No. 6	" 618 0 0
" No. 7	" 667 4 0
" No. 8	" 4,948 11 5
" No. 9	" 7,097 13 0
" No. 10	" 2,387 14 0
" No. 11	" 2,352 0 0

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

F. G. NUTHALL, Captain,

In charge Commt. Depart., A. F. F.

Commissariat Office, Aden Field Force,
Camp, Aden, 12th August 1854.

Notice

Is hereby given, that verbal offers will be received at the Office of the Superintendent of Bazaars at Belgaum, at 11 o'clock A. M. on Thursday the 5th October 1854, also sealed tenders at the Commissary General's Office, Bombay, as per clause No. 9 of this Notice, for the contract for the exclusive privilege of SELLING ARRACK, COUNTRY LIQUOR, and INTOXICATING DRUGS to the Native Troops and Followers in the Cantonment of Belgaum, and also to the Inhabitants of the town of Belgaum, for a period of one year, from the 1st November 1854 to the 31st October 1855.

2. The contract will be sold for the number of Troops present on the day of sale, and the amount to be paid by the contractor will not be increased or decreased as Troops arrive at or depart from the Station, unless the number of Troops present shall at any time during the existence of the contract exceed or fall short of the number present on the day of sale by more than one-fourth part, in which case the payment to be made by the contractor will be increased or decreased to such extent as may be fixed by a Committee of Officers to be appointed on behalf of Government.

3. Each bidder for the contract must deposit the sum of Co.'s Rs. 3,000 (three thousand), which will be forfeited in the event of delay, evasion, or refusal on the part of the party concerned to execute the necessary deed of contract should his offer or tender be accepted.

4. Each bidder must state the sum that he is willing to pay annually for the contract, and the person whose bid may be accepted will be required to deposit with the Superintendent of Bazaars the amount of one month's stipulated payment, as security for the due performance of the contract, and also make each monthly payment in advance, the first payment to be made on demand.

5. Each bidder must produce a certificate in English from either the Collector or Deputy Magistrate, in the event of their residing in the town of Belgaum or Shapoor, and by the Superintendent of Bazaars if residing in the Military Cantonment, that they and their securities are of unexceptionable character and persons of capital, and that their securities may be taken and held good for such an amount each, and that these individuals are willing to stand security in the event of the bid being accepted. The above is necessary to avoid delay in obtaining the same information from the authorities concerned, and in default of the above the person or persons will not be allowed to bid.

6. The person whose offer may be accepted must purchase the Distillery in the Sudder Bazar, at the valuation of a Committee of Officers.

7. Five Shops will be allowed in the Sudder Bazar, viz. the present large one, with two small ones right and left of it. Entrance to the front of these Shops, but none whatever to the rear.

8. No Liquor whatever will be allowed to be sold in the Distillery.

9. Further, any person or persons who may send tenders to the Commissary General, Bombay, must with the said tender enclose the certificates called for under the provisions contained in the 5th para. of this Notice, *i. e.* that each written tender should be accompanied with a certificate in English, to obviate any unnecessary trouble or delay on that

account hereafter to Government, or in default their tender will be rejected.

10. The contractor will be required to bind himself to defray the expense of maintaining any Police which the Commanding Officer may consider necessary for preventing the clandestine sale of Spirits to the European Troops.

11. The articles of agreement to be entered into may be seen, and all further particulars learnt, on application at the Office of the Superintendent of Bazars, any day between the hours of 10 A. M. and 3 P. M., Sundays excepted.

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

J. B. DUNSTERVILLE, Captain,
Superintendent of Bazars.

Belgaum, Supt. of Bazars' Office,
28th August 1854.

Notice

Is hereby given, that the privilege of TAKING the FRUITS of different sort of Trees standing on Government Ground situated in the different Villages in the Mahim District, for a period of three years, commencing from 1st November 1854, will be put up to sale by PUBLIC AUCTION, at this Office, on Monday the 2nd October 1854, at 1 o'clock in the afternoon.

Further particulars and the conditions of the sale may be ascertained on application at the Collector's Office.

F. HUTCHINSON,
Collector of Bombay.

Bombay, Collector's Office,
8th September 1854.

अहमदनगर.

अहमदनगर नालीन टुकडीना गांमनां शर
करी नमीनजीपर अतन्तनां नुडाडे छे
तेनां कृषी तारीम १ नाडे नवंबर शुने
१८५४ थी तरण १२शनी सुदतशुधी देवा
ना डक तारीम २ नाडे अक्टोबर शुने
१८५४ शानवारने दीने कलेक्टरनी कचरी
नां बारजीपर अक वागते अहमदनगर क
रीने वसवानां व्यापारी.

थीलु कांथे पुछुतु डकुने ते तथा वयांणने,
करार कलेक्टरनी कचरीनां पुछुथी नालीन
थाणे.

शुधी.

अक. डायीनशंन,
मुंयथेने कलेक्टर.

तारीम ८ नी नाडे सेप्टेंबर
शुने १८५४ थशनी मुकाम मुं.
यथे कलेक्टरनी कचरी.

VENAYEK WASSOODEW,
Oriental Translator to Govt.

जाहिरनामा

ऐसाजे माहिम नुकडीतील गावांत सरकारी जमीनवर
जातजातीचीं झाडे अहित त्यांचीं फळे तारीख १ नवंबर
सन १८५४ पासून तीन वर्षांचे मुदती पर्यंत बेण्याचा हक्क
तारीख २ अक्टोबर सन १८५४ सोमवारचे रोजी कलेक्टरचे

कचेरीत बारावर एक वाजता जाहिर लेलांव करून विकला
जाईल.

२ दुसरे कांही पुसणे असेल ते व विकरी करार कलेक्टरचे
कचेरीत विचारलें असतां मालूम होतील.

सही.

एफ. हचीनसन,
मुंबईचे कलेक्टर.

तारीख ८ सप्टेंबर सन १८५४ इसवी
मुकाम मुंबई कलेक्टरची कचेरी.

VENAYEK WASSOODEW,
Oriental Translator to Govt.

Notice

Is hereby given, that verbal offers will be received at the Superintendent of Bazars' Office at Sholapoor, and sealed tenders at the Office of the Commissary General at Bombay, on Friday the 6th October 1854, at 12 o'clock (noon), for the contract for the exclusive privilege of SELLING COUNTRY LIQUOR and INTOXICATING DRUGS for the Town and Cantonment of Sholapoor, for one year, from 1st November 1854 to 31st October 1855.

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

	Strength.
Resident Population, about	8,000
1 Regiment of Native Light Cavalry and Followers.	945
1 Regiment of Native Infantry	757
1 Company of Native Foot Artillery, with No. 2 Light Field Battery attached.	162

3. The tenders, &c. to be in Company's Rupees; and no person will be allowed to tender for the contract unless he previously deposits, in this and the Commissary General's Office, the sum of Co.'s Rs. १,००० (one thousand and five hundred, in cash, which will be forfeited in the event of delay, evasion, or refusal to execute the necessary deed of contract, should the offer be accepted, in which case he must be prepared to add thereto such amount as shall complete a month's rent, to be deposited with the Superintendent of Bazars until the expiration of his contract, and also to make each monthly payment in advance; the first payment to be made on the 1st November 1854.

4. The contractor will be required to sign and execute the deed of contract, which will have been previously prepared, and to furnish at the same time two competent persons as securities for the due performance of the whole contract.

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

6. The articles of agreement to be entered into by the contractor may be seen at the Superintendent of Bazars' Office at Sholapoor, or at the Office of the Commissary General at Bombay, on every lawful day from 11 A. M. till 3 P. M. up to the day of sale.

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

W. H. MASON, Lieut.,
Superintendent of Bazars and Police.
Sholapoor, Supt. of Bazars' Office,
6th Sept. 1854.

Legislative Council.

26th August 1854.

The following Act, passed by the Legislative Council, received the assent of the Most Noble the Governor General of India on the 26th of August 1854, and is hereby promulgated for general information :—

ACT No. XIX. OF 1854.*An Act for removing the Prohibition against the Importation of Foreign Sugar.***Preamble.**

Whereas, by the provisions of a Statute passed in the 12th year of the reign of Her present Majesty, the duties to be levied on the importation of Sugar from different places into the United Kingdom have been equalized; It is enacted as follows :—

I. Acts XXXII. of 1836, XV. of 1839, XI. of 1842, and so much of Act

Repeal of Acts prohibiting the importation of Sugar into Bengal, Madras, and the North-Western Provinces.

XIV. of 1843 as prohibits the importation of Sugar into any part of the North-Western Provinces of the Presidency of Bengal, are hereby repealed.

W. MORGAN,
Clerk of the Council.

Legislative Council.

26th August 1854.

The following Act, passed by the Legislative Council, received the assent of the Most Noble the Governor General of India on the 26th of August 1854, and is hereby promulgated for general information :—

ACT No. XX. OF 1854.*An Act to amend Regulation XIII. of 1833 of the Bengal Code.***Preamble.**

Whereas it is expedient to amend the provisions of Regulation XIII. of 1833 of the Bengal Code; It is enacted as follows :—

I. So much of the said Regulation as prescribes that the Officer in whom the duties specified in Section IV. of the said Regulation shall be vested shall be denominated "Agent to the Governor General" is repealed.

II. Such duties shall be vested in any Officer whom the local Government shall from time to time appoint for that purpose, and such Officer, when appointed, and his assistants respectively, may exercise, within the tracts of country separated as prescribed in the said Regulation, all the powers which by the said Regulation the Agent to the Governor General and his assistants respectively may exercise, and all the provisions in the said Regulation relating to the Agent to the Governor General and his assistants, shall be applicable to the Officer to be appointed as aforesaid, and his assistants respectively.

W. MORGAN,
Clerk of the Council.

Legislative Council.

26th August 1854.

The following Act, passed by the Legislative Council, received the assent of the Most Noble the Governor General of India on the 26th of August 1854, and is hereby promulgated for general information :—

ACT No. XXI. OF 1854.*An Act to amend the Law relating to the several Banks of Bengal, Madras, and Bombay.*

For the purpose of removing doubts, and of extend-

Preamble.

ing the powers of the chartered Banks of Bengal, Madras, and Bombay, It is enacted as follows :—

I. The persons for the time being holding the offices of Secretary and Treasurer, or of Secretary alone, or of Deputy Secretary of the Bank of Bengal, of the Bank of Madras, or of the Bank of Bombay, are hereby severally empowered, for and on behalf of the Bank under which they hold either of such offices, to endorse and transfer Government Securities standing in the name of the Bank, to draw, accept, and endorse Bills of Exchange, Promissory Notes, and Bank Post Bills, connected with the current and ordinary business of the Bank, and to sign all other documents connected with such business.

Secretary, &c. empowered to draw and endorse Bills, &c., and to sign documents for the Banks.

of Bombay, are hereby severally empowered, for and on behalf of the Bank under which they hold either of such offices, to endorse and transfer Government Securities standing in the name of the Bank, to draw, accept, and endorse Bills of Exchange, Promissory Notes, and Bank Post Bills, connected with the current and ordinary business of the Bank, and to sign all other documents connected with such business.

II. It shall be lawful for any of the said Banks

Banks may lend money on shares of guaranteed Railway Companies.

to lend money on the security of shares in such of the incorporated Indian Railway Companies as hold a guarantee from the East India Company with regard to interest; provided that no such loan shall in any case exceed in amount

three-fourths of the paid-up value of the shares on the security of which the loan is made; and in every case such shares shall be transferred to the Bank by which the loan is made, either absolutely or by way of mortgage.

Proviso.

W. MORGAN,
Clerk of the Council.

Legislative Council.

12th August 1854.

The following Bill was read a second time in the Legislative Council on the 12th of August 1854 :—

A Bill for the Amendment of Procedure in Cases of Regular Appeal to the Sudder Court in the Presidency of Fort St. George.

Whereas it is desirable to simplify and shorten the procedure in regular appeals to the Court of Sudder Udalt in the said Presidency, it is enacted as follows :—

Preamble.

I. *Clause 1st.*—In modification of Clause fifth Section X. Regulation V. of 1802, every petition of regular appeal, in a case appealable to the Sudder Court, shall be presented to the Court in which the decision was passed within six weeks from the day of the decision. Such petitions of appeal shall, except in cases of petitions under Section XII. of this Act, contain only notice that the party, being dissatisfied with the decision, is desirous of appealing from it.

Clause 2nd.—The Sudder Court may extend the

Time for presenting petition of appeal may be extended. To what Court, and how application to be made.

time for presenting such petition of appeal to the lower Court, upon being satisfied that there is sufficient cause for such extension of time.

The application for such extension of time may be made directly to the Sudder Court, or through the intervention of the lower Court, at the option of the applicant.

II. On presentation of a petition of regular appeal to the Court in which the decision was passed, notice thereof to the respondent, as well as a proclamation to the

Notice to be given to respondent, and proclamation to issue.

same effect, shall immediately issue from that Court, and a copy of the proclamation shall be forthwith fixed up in some conspicuous part of the Court House of the said Court. If the notice cannot be personally served, the proclamation shall at once be fixed upon the door of the respondent's dwelling-house, or in some conspicuous place in the village or place where he usually resides; or in cases in which the respondent shall not have a fixed residence within the jurisdiction of the Company's Courts, the proclamation may be fixed upon the door of his house of business or cutcherry, or the notice may be served on his known local agent. In case the proclamation cannot be fixed, or the notice served in the manner above-mentioned, the proclamation shall be fixed up in such other place, if any, as the said last mentioned Court shall direct. The Nazir shall make a return to the Court, stating when and where the notice and proclamation have been served or fixed up. The return of the Nazir shall be filed in Court, and shall form part of the record of the case, and such return shall be published by fixing up the same in some conspicuous part of the Court House of the lower Court.

III. *Clause 1st.*—The rule in Section XI. Regulation V. of 1802, which directs copies of all original papers transmitted to the Sudder Court with the record of an appealed case to be made out and deposited in the Court, in lieu of the originals, is hereby modified, and it shall be necessary to copy, authenticate, and deposit only the exhibits in the case, and also any other papers of importance, including the pleadings, or any parts of them, which either of the parties shall require to be copied, authenticated, and deposited in the lower Court, previously to their being transmitted to the Sudder Court.

Clause 2nd.—If either of the parties require any papers to be copied, authenticated, and deposited, such party shall, either by himself, or his pleader, or authorized agent, give notice in writing thereof to the lower Court, before the expiration of fourteen days from the time of the publication of the return of the Nazir, as aforesaid: such notice shall specify the papers which the party requires to be copied, authenticated, and deposited.

Clause 3rd.—Either party may, by himself or his pleader or authorized agent, before the presentation of an appeal, give notice in writing to the lower Court, specifying any papers or documents which he requires to be copied, authenticated, and deposited, in the event of an appeal being prepared.

IV. The petition of appeal, together with the record of the lower Court, shall be certified to the Sudder Court as soon as conveniently may be after the presentation of the petition of appeal, provided that the same shall not be certified within the time allowed to the parties for specifying the papers which they desire to be copied, authenticated, and deposited.

V. On arrival of the appeal record at the Sudder Court, notice shall be affixed in the Court House of the said Court, requiring the appellant to file, within six weeks from the date thereof, his grounds of objection to the decision of the Court below. Within the said space of six weeks the appellant shall file in the said Sudder Court his grounds of objection to the decision.

VI. *Clause 1st.*—On the filing of the grounds of objection by the appellant, notice shall be affixed in the Court House of the Sudder

Court requiring the respondent to file his grounds of objection, if any, to appeal, or to the decision of the lower Court, within four weeks from the date of such notice.

Clause 2nd.—Within the said space of four weeks the respondent shall file any grounds of objection which he has to the appeal, or which relate to such parts of the decision as are involved in the appeal.

Clause 3rd.—If the respondent shall desire to object to any part of the decision of the lower Court not involved in the appeal, he may present a separate petition of appeal to the Sudder Court within the said space of four weeks, or within such further time as the said Sudder Court shall allow for that purpose.

Clause 4th.—The respondent shall in such case file with his petition of appeal his grounds of objection to that part of the decision to which his appeal relates, otherwise his appeal shall not be received.

VII. *Clause 1st.*—At the expiration of the time allowed to the respondent for filing his grounds of objection, and for filing a separate petition of appeal in the Sudder Court, the record shall be deemed complete, and the case ready to be called up for decision, on any day which the Sudder Court may notify, unless the respondent, within such time, file a separate petition of appeal in the Sudder Court.

Clause 2nd.—If the respondent file a separate petition of appeal in the Sudder Court, notice shall be fixed up in the Court House of the Sudder Court, to the effect that the respondent has filed such separate appeal; and the notice shall require the appellant to file any grounds of objection which he may have thereto, within the space of four weeks from the date of the notice.

Clause 3rd.—Within such space of four weeks the appellant may file any grounds of objection which he has to such appeal, or which relate to that part of the decision which is involved in the respondent's appeal. At the expiration of the time allowed for filing such grounds of objection by the appellant, the record shall be deemed complete, and the case ready to be called up for decision on any day which the Sudder Court shall notify for that purpose.

Clause 4th.—If the appeal of either party be dismissed or withdrawn, the appeal of the other may be heard alone; otherwise the two appeals, and the proceedings thereon, shall form one record, unless the Sudder Court shall otherwise order.

VIII. The respondent shall not be allowed to present a separate petition of appeal in the Sudder Court, if he shall previously have presented a petition of appeal to the lower Court.

IX. *Clause 1st.*—All grounds of objection which shall be filed by either the appellant or the respondent, shall be stated distinctly and concisely, without any argument or narrative of facts; and shall be numbered consecutively, and, except in the cases hereinafter mentioned, shall be on paper bearing the stamp duty prescribed by Section XIX. Regulation XIII. of 1816.

Objections to be distinctly stated, and to be numbered, also, to be written on stamped paper.

Exception.

Clause 2nd.—The Sudder Court may extend the time for filing grounds of objection, either by an appellant or respondent, upon special application for that purpose, and upon sufficient reasons being shown, to the satisfaction of the said Court, for such extension of time. In such case, the objections may be filed within such extended time.

X. Either party may, by leave of the Sudder Court or any Judge thereof, at any time before the hearing, amend his grounds of objection, or add grounds of objection to those filed, upon such terms and conditions, and within such time, as the said Court or Judge may order. The said Court may also, upon the hearing of any appeal, allow either party to amend his grounds of objection, or to add further grounds, or to urge, and be heard by himself or his pleader, in support of any objection not included in his grounds of objection, upon such terms and conditions as to postponement of the cause, and as to the payment of costs or otherwise, as the Court shall think just, to prevent the opposite party or his pleader from being taken by surprise or otherwise. Without such leave of the Court neither party shall be allowed to urge or to be heard in support of any objection not included in his grounds of objection filed. But the Court shall not be confined to such grounds of objection on deciding the cause.

XI. **Clause 1st.**—The Sudder Court may call up for hearing and decision on any day the Court shall notify, and without regard to the place in which the case stands in the general list of appeals, any grounds of objection filed by the respondent, or the appellant, to the appeal of the opposite party; and the Sudder Court may hear and decide upon such grounds of objection, before calling the case up for decision upon the grounds of objection to the decision of the lower Court.

Clause 2nd.—If the grounds of objection filed by the appellant and respondent shall be upon point of law only, and shall not raise any question of fact, the Sudder Court may order the case to be called up for hearing and decision, on any day which the said Court shall notify, without regard to the place in which it stands in the general list of appeals pending in the said Court.

Clause 3rd.—If the grounds of objection filed shall raise questions of law and fact, and it shall appear to the Sudder Court that the decision of the law may render it unnecessary to determine any question of fact so raised, the Court may order the case to be called up for decision upon the law alone, in the first instance, in the manner pointed out in the last preceding Section, and if the decision of the case upon the law shall render it unnecessary to determine any question of fact, the said Court shall pass a final decision in the case; otherwise the Court shall determine the law only, and the case shall be afterwards set down in the list of regular appeals for hearing upon the question or questions of fact, and shall be determined in the same manner as any other regular appeal.

XII. If any party to a regular suit be desirous of being admitted to appeal in *formâ pauperis*, to the Sudder Court, the following procedure shall be adopted:—

Clause 1st.—The appellant shall present his petition to the lower Court according to the rules prescribed by Section I. of this Act,

Provido.

provided that a petition to appeal in *formâ pauperis* against any decision passed before this Act shall come into operation may be presented within three months from the day of the decision.

Clause 2nd.—Petitions of appeal by parties desirous to appeal in *formâ pauperis* shall contain a statement to that effect, and also a Schedule of the whole real and personal property belonging to the petitioner, and the estimated value of such property, and shall be written on paper bearing the stamp duty of two rupees per sheet.

Clause 3rd.—Upon the presentation of such petition, the notice to the respondent, and the proclamation, shall state that the appellant desires to appeal in *formâ pauperis*.

Clause 4th.—On arrival of the appeal record at the Sudder Court, the same procedure shall be adopted in that Court as in other cases of regular appeal, except that after the filing of the grounds of objection by the appellant, and before notice shall be given requiring the respondent to file his grounds of objection, the Sudder Court shall determine, according to the rules now applicable to the determination of such cases, whether or not the appellant shall be allowed to appeal in *formâ pauperis*.

Clause 5th.—If the Sudder Court allow the petitioner to appeal in *formâ pauperis*, notice shall be given to the respondent to file his grounds of objection in the manner provided by Section VI. of this Act, and the same procedure shall be adopted subsequently thereto, as in other cases of regular appeal under this Act. The rules and conditions now applicable to persons admitted by the Sudder Court to appeal in *formâ pauperis* shall continue in force, except where the same are inconsistent with any of the provisions of this Act.

Clause 6th.—If the Sudder Court refuse to allow the petitioner to appeal in *formâ pauperis*, the said Court may make an order to the effect that the appellant, upon filing a petition of appeal in that Court upon paper bearing the stamp duty prescribed by Section XIII. and Clause 2 Section XXIII. Regulation XIII. of 1816, may proceed with the appeal according to the rules prescribed by this Act in the case of persons not appealing as paupers.

Clause 7th.—Upon such order being made, the appellant shall file his petition, and re-file his objections upon paper stamped with the stamp duty required by Clause 5th of this Section, within two weeks from the date of such order, or within such further time as the said Court may allow for that purpose; otherwise the appeal shall stand dismissed.

Clause 8th.—Upon the re-filing of the grounds of objection according to the provisions of the last preceding Clause, notice of the order and of the re-filing of such objections shall be given to the respondent in the manner prescribed by Section VI. of this Act, and the respondent shall be required to file his grounds of objection, if any, according to the provisions of that Section. The procedure subsequent to such notice shall be according to the general provisions of this Act.

Clause 9th.—If an appellant shall petition to appeal in *formâ pauperis*, his grounds of objection may be on unstamped paper.

XIII. If an appellant shall be admitted to appeal, or a respondent to defend in *forma pauperis*, all grounds of objection subsequently filed by either party may be written on plain paper.

XIV. No decision shall be reversed or altered, nor shall any case be remanded upon appeal to the Sudder Court, on account of any error, defect, or irregularity not productive of injury to either party, nor opposed to any express enactment contained in the general Regulations or Acts of Government.

XV. The provisions of this Act shall not apply to regular appeals preferred from decrees passed before the passing of this Act, which appeals shall be subject to all the forms and rules in force previous to the passing of this Act.

W. MORGAN,
Clerk of the Council.

Legislative Council.

12th August 1854.

The following Bill was read a second time in the Legislative Council on the 12th of August 1854:—

A Bill to amend the Law of Evidence in the Civil Courts of the East India Company in the Madras Presidency.

Whereas the law of evidence administered by the Civil Courts of the Presidency of Fort St. George in Madras, and the rules for the attendance and examination of witnesses, and the production of documents in Courts, require amendment; It is enacted as follows:—

Preamble.

I. Section VII. Regulation III. of 1802, Section XX. Regulation IV. of 1802, Clauses 1st and 2nd Section XXIX. Regulation VI. of 1816, and Section XIV. Regulation VIII. of 1816 of the Madras Code, so far as they are inconsistent with the provisions of this Act, and Section XXXII. Regulation VII. of 1809, are hereby repealed.

II. In any regular or summary suit, appeal, or proceeding in any of the Civil Courts of the East India Company, and also in any summary suit or other proceeding of a civil nature before any Court, Officer, or other person having by law or by consent of parties authority to examine witnesses, any party to such suit, appeal, or proceeding shall be competent and entitled to give evidence as a witness either on his own behalf or on behalf of any other party to the suit, appeal, or proceeding, in the same manner as if he were not a party to the same.

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Provided that no party to a suit, appeal, or proceeding, who shall offer himself as a witness therein, shall, without the consent of all parties thereto, be examined otherwise than in open Court, in such manner as the Court may direct, having regard to the usages and customs of the country, unless such examination shall be taken under and subject to the Rules prescribed by Section XXXII. or XXXVIII. of this Act.

III. No person shall, by reason of any interest in the result of any suit, or of any interest connected therewith, or by reason of relationship to any of the parties thereto, be incompetent to give evidence in any such suit.

IV. A husband or wife shall be competent to give evidence for or against the other, provided that the examination shall take place in open Court, in such manner as the Court may direct, having regard to the usages and customs of the country, or that it be taken and read, and subject to the Rules prescribed in Section XXXII. or XXXVIII. of this Act; provided also that any communication made by husband or wife to the other during their marriage shall be deemed a privileged communication, and shall not be disclosed without the consent of the person making the same, unless such communication shall relate to a matter in dispute in a suit pending between such husband and wife.

ner as the Court may direct, having regard to the usages and customs of the country, or that it be taken and read, and subject to the Rules prescribed in Section XXXII. or XXXVIII. of this Act; provided also that any communication made by husband or wife to the other during their marriage shall be deemed a privileged communication, and shall not be disclosed without the consent of the person making the same, unless such communication shall relate to a matter in dispute in a suit pending between such husband and wife.

Proviso.

V. Any party to a suit may be compelled to give evidence as a witness therein, and also to produce any document in his possession or power, in the same manner, by the same process, and subject to the same Rules, as if he were not a party to the suit, except so far as is otherwise provided by this Act. Provided that no Court need to compel the attendance of any party to such suit, for the purpose of giving evidence therein, if such party shall satisfy the Court that he has no personal knowledge of any material subject of inquiry in the suit, and that he cannot give any material evidence therein. Nothing in this Clause shall exempt any party to a suit from being summoned to produce a document.

VI. After the parties in a suit, in which according to the practice of the Court there may be fixed for the hearing, shall have filed their exhibits and lists of witnesses, the Court shall, by an order in writing, appoint a day, not less than fifteen days after the date thereof, for the examination of witnesses and the hearing of the suit.

VII. The list of witnesses required to be furnished in any suit shall include the name of all the witnesses, whether the parties to the suit or not, whom the party filing the list may intend to call as witnesses, or whom he may require to be summoned to give evidence or produce any document, also a list of the documents which he may require to be produced.

VIII. If any party to a suit shall require the attendance of any other party thereto as a witness to be enforced, he shall, by himself or his pleader, make a special application to the Court for an order for a summons to compel the attendance of the party, and shall show to the satisfaction of the Court sufficient grounds in support of such application, otherwise a summons shall not be issued. In cases in which, according to the practice of the Court, a day is fixed for the hearing, the application shall be made before such day shall be fixed.

IX. The Court, upon the application of the pleader of any party to a suit whose attendance as witness is required, or without such application, if the Court think fit so to do, may, before making such order, cause notice to be given to the party or his pleader, fixing a day for such party to show cause why he should not attend and give evidence, and may also from time to time if necessary, for good and sufficient cause, enlarge the time for such purpose.

X. Clause 1.—In support of the cause shown, the Court shall receive a declaration in writing of the party, if signed by him, and delivered into the Court by himself or his pleader.

Clause 2.—If the party making such declaration shall wilfully and corruptly make any false statement therein, he shall be liable to the punishment provided for the offence of making a

Special application to compel attendance of party to a suit as a witness.

What the list of witnesses shall include.

Written declaration of party receivable.

Penalty for false statement.

The punishment provided for the offence of making a

false allegation in a petition to a Judicial Court, by Section II. Regulation I. of 1832.

XI. If no sufficient cause be shown on the day fixed, or upon any subsequent day to which the Court shall enlarge the time for that purpose, the Court shall cause a summons to be issued for compelling the party to attend and give evidence.

XII. The Court, on the requisition of any party to a suit, or his pleader, may cause a summons to be issued to every person who shall be required to produce any material document. Previously to the issuing of any summons for the attendance of any person to give evidence or produce a document, the party requiring the same shall pay into Court such sum as shall appear to the Court to be reasonable to defray the travelling and other expenses of such person in passing to and from the Court in which he may be required to attend and give evidence, and for one day's attendance thereat. In fixing the sum to be paid into Court, regard shall be had to the rules, if any, established by the Court or Board, if any, to which such Court shall be subordinate. The sum so paid into Court shall be tendered to the witness at the time of serving the summons, if it can be served personally. In addition to the sum so paid into Court, the Court, before whom any person may attend in pursuance of a summons or proclamation to give evidence or produce any document, may order such further sum to be paid to the person so attending by the person causing the summons or proclamation to be issued as may appear to be necessary to defray his travelling and other expenses, and also the expenses of his detention under the summons or proclamation, and in case of default in payment may order such sum to be levied by attachment and sale of the goods of the person ordered to pay the same, and the witness shall not be bound to give evidence or produce any document until such sum shall be paid.

XIII. Every summons for the attendance of a witness to give evidence or to produce a document shall require the intended witness to attend at a time and place to be named in the summons, and shall also state whether the attendance of the witness is required for the purpose of giving evidence or producing a document, or for both purposes. If a witness, whether a party to the suit or not, is required to attend, and to produce before the Court any document alleged by the party summoning him to be in his possession or power, a direction to attend the Court with such document shall be inserted in the summons, and the document which the witness may be so called upon to produce shall be described in the summons with convenient certainty.

XIV. Every such summons shall, if possible, be served personally upon the person thereby required to attend, by showing the original to such person, and at the same time delivering or tendering to him a copy thereof.

XV. Such service must be made a sufficient time before the time specified therein for his attendance, to allow the witness a reasonable time for preparation, and for travelling to the place at which his attendance is required.

XVI. Any person, whether a party to the suit or not, may be summoned to produce a document without being summoned to give evidence, and any person summoned merely to produce a document shall be deemed to have complied with the

summons if he cause such document to be produced, instead of attending personally to produce the same.

XVII. Any person who shall be summoned to appear and give evidence shall be bound to attend at the time and place named for that purpose.

XVIII. Any person attending to produce a document may be called upon to produce the same without being sworn or examined as a witness.

XIX. A witness, not a party to the suit or proceeding in which he is summoned, shall not be bound to produce his own title-deeds, unless he shall have agreed in writing with the party requiring the production thereof, or with some person through whom he claims to produce such deeds.

XX. A witness, whether a party or not, shall not be bound to produce any document relating to affairs of State, the production of which would be contrary to good policy, nor any document held by him for any other person who would not be bound to produce it if in his own possession.

XXI. A witness, being a party to the suit, shall not be bound to produce any document in his possession or power which is not relevant or material to the case of the party requiring its production, nor any writing or correspondence which may have passed between him and any legal professional adviser. If any party, however, offer himself as a witness, he shall be bound to produce any such writing or correspondence in his custody, possession, or power, if relevant or material to the case of the party requiring its production.

XXII. Every witness summoned to produce a document shall, if the same be in his custody, possession, or power, be bound to produce it, or cause it to be produced to the Court, although there be a valid objection to the right of the party calling for it to compel its production, or to the reading or putting it in as evidence, or to the disclosure of the contents thereof; the validity of any such objection made by the person producing the document shall be determined by the Court, and for the better determination thereof, it shall be lawful for the Court to receive any admissible evidence which the person producing the document may give respecting it; and it shall also be lawful for the Court to inspect the document, and if necessary to call to its assistance any person whom it may appoint to interpret the same. Such person, however, shall be previously sworn truly to interpret the same to the Court alone, and not to disclose the contents thereof except to the Court, unless the Court shall order the document to be given in evidence. If the Court shall be of opinion that such document shall not be produced, the Court shall not disclose the contents thereof to the parties, or take any note, or make any mention of the contents or effect thereof in its judgment or proceedings, but shall return the document at once to the party producing the same, having previously marked the same for the purpose of identification, and shall record in its proceedings that a document, identifying it by the mark put upon it, was called for by the person, naming him who shall call for its production, that the person having the possession of the document, naming him, objected to its production, and the reasons, if any, for such objection, together with the reasons of the Court for refusing to compel its production: If the Court shall refuse to enforce the production of a document, or to receive the

same in evidence, the Court of appeal may, upon a regular appeal, compel the production of such document; and if such Court shall think that the production

On appeal production may be enforced.

of the same ought to have been enforced, or that it ought to have been received in evidence, may themselves enforce its production, and receive it in evidence, and decide the case upon such document, coupled with the other evidence given in the suit.

XXIII. A barrister, attorney, or vakeel shall not,

Legal adviser not to disclose professional communication to client.

without the consent of his client, disclose any communication made by the client to him in the course of his professional employment, nor any advice given by him professionally to his client, nor the contents of any document of his client, the knowledge of which he shall have acquired in the course of his professional employment. The privilege, however, is that of the client;

What shall be deemed a waiver by client of this privilege.

and if any party to a suit shall give evidence therein at his own instance, he shall be deemed thereby to have waived his privilege, and to have consented to the disclosure by such barrister, attorney, or vakeel of any such matter as aforesaid which may be relevant, and which the barrister, attorney, or vakeel would have been bound to disclose but for the privilege of his client, and the barrister, attorney, or vakeel shall be bound upon examination to disclose any such matter.

XXIV. If any witness, whether a party to a suit or

Penalty for non-compliance with summons.

not, to whom any summons to give evidence or produce a document shall have been personally delivered, shall, without lawful excuse, fail to comply with such summons, as required by this Act, or attending, or being present in Court, shall without lawful excuse refuse to give evidence, or to subscribe his deposition, or to produce any document in his custody or possession, named in such summons as aforesaid, upon being required by the Court so to do, the Court shall have full power and authority to issue an order in writing to the nazir to apprehend and bring the witness before the Court, or, if he be already before the Court, to take him into custody. And such Court may impose on such witness a fine, not exceeding five hundred ruppes, for his default or refusal, realizable by attachment and sale of his property, and may commit him to close custody until he shall consent to give his evidence, or to sign his deposition, or to produce the document; and any such fine as aforesaid shall be levied and recovered by attachment and sale of the property of such person. Provided

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that no fine imposed under the provisions of this Section shall exceed the amount of the property in dispute in the suit. If any such person shall abscond, or keep out of the way, so that he cannot be seized or brought before the Court, his property shall be liable to attachment and sale, in the same manner as is provided by Section XXVII. of this Act, with respect to a witness on whom the service of a summons cannot be effected. If such person shall be part to the suit, the Court, instead of proceeding in the manner above pointed out, may, if the witness be a plaintiff, appellant, or petitioner, dismiss the complaint, appeal, or petition, with costs against such party; or if such party be a defendant or respondent, may hear and decide the case against such defendant or respondent *ex parte*. If any such complaint, appeal, or petition shall be dismissed for such cause, the complainant or petitioner shall be debarred from preferring any other petition, appeal, or complaint in respect of the same matter.

XXV. Any person present in Court, whether a

Person present may be compelled by Court to give

party or not, may be called upon and compelled by the Court to give evidence, and

evidence, &c. without summons.

produce any document then and there in his actual possession or in his power, in the same manner and subject to the same rules as if he had been summoned to attend and give evidence, or to produce such document, and may be punished in like manner for any refusal to obey the order of the Court.

XXVI. Any person, whether a party to the suit

Person not obeying summons, &c. liable for damages in a civil action.

or not, to whom a summons to attend and give evidence, or produce a document, shall be personally delivered, and who shall, without lawful excuse, neglect or refuse to obey such summons, or who shall be proved to have absconded or kept out of the way to avoid being served with such summons, and any person who, being in Court, and upon being required by the Court to give evidence, or produce a document in his possession, shall without lawful excuse refuse to give evidence, or sign his deposition, or to produce a document in his possession, shall, in addition to any proceedings under this Act, be liable to the party at whose request the summons shall have been issued, or at whose instance he shall be required to give evidence or produce the document, for all damages which he may sustain in consequence of such neglect or refusal, or of such absconding or keeping out of the way as aforesaid, to be recovered in civil action.

XXVII. If a person, whether a party to a suit or

After proclamation, the property of a witness may be attached and sold.

not, for whose attendance either to give evidence or produce a document a summons shall be issued, cannot, after diligent search, to be certified by a return of the nazir, be found, the Court, upon proof that the evidence of such witness or the production of the document is material, and that the witness absconds or keeps out of the way to avoid being served with a summons, and that he could not, after diligent search, be found or served with the summons, may cause a proclamation, requiring the attendance of such person to give evidence or produce the document, at a time and place to be named therein, to be affixed, in the presence and with the attestation of two respectable householders, in some conspicuous place, upon or near to his house or place of abode, and if such person shall not attend at the time and place to be named in such proclamation, and it be proved to the satisfaction of the Court that the witness cannot be found, his property, real and personal, to such amount as the Court shall deem reasonable, (but subject to the same limitation as to the articles exempt from attachment as in case of attachment for arrears of rent,) shall be liable, under an order of the Court, to attachment and sale. Provided always,

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that when the order for attachment and sale shall have been issued by any Court subordinate to the Court of Sudder Dewanee Adawlut, a summary appeal shall lie within one month from the date of the order of the subordinate Court to the Court to which its orders are generally appealable; and that the rules for the time being in force in regard to sales made in execution of decrees, as to the mode and period of attachment, and the place or manner of sale, and as to claims of third parties to property attached and notified for sale, shall be held applicable to such sales.

XXVIII. Clause 1.—The cost of the attachment

Costs of attachment and proceedings thereon.

shall be borne in the first instance by the party applying for it, and the Court issuing the summons and attachment shall not proceed to sale of the property, but shall order the same to be released from attachment if the witness shall appear and satisfy the Court that he did not abscond or keep out of the way to avoid service of a summons, and that he had not notice of the proclamation in time to attend at the time and place named therein. Upon the appearance of such witness the Court shall make such order in regard to the costs of the attachment as it shall deem

fit. If the witness appearing shall fail to satisfy the Court that he did not abscond or keep out of the way to avoid service of a summons, and that he had not such notice as the proclamation as aforesaid, it shall be in the discretion of the Court to order the property attached or any part thereof to be forfeited and sold for the purpose of satisfying all costs incurred in consequence of such default or absconding or keeping out of the way, and such fine, not exceeding the amount in dispute in the suit, as the Court may deem fit to impose upon the witness, having regard to all the circumstances of the case, and the condition in life of the witness; or the Court may order the property to be released from attachment, upon payment of such costs and fine as aforesaid.

Clause 2.—An order made in pursuance of this Section shall be subject to appeal in the same manner and within the same period as an appeal against an order for attachment and sale under the last preceding Section of this Act.

XXIX. All orders as to fines, or the levying thereof, or as to imprisonment under this Act, shall be subject to a similar appeal, within one month from the date of the order.

XXX. It shall not be necessary to postpone the hearing or decision of a case for the non-production of a document, or for the evidence of a witness who may neglect or refuse to attend, or who shall abscond or keep out of the way, or who cannot be served with a summons, beyond such period as shall appear proper to the Court, having regard to all the circumstances of the case; provided that when a summons shall have been issued for the attendance of a plaintiff or appellant in a suit to give evidence, or produce a document, the Court shall, at the request of the defendant or respondent, unless there be good reason to the contrary, postpone the hearing or decision until the plaintiff or appellant can be personally summoned, or shall attend and give evidence, or produce the document required; and that where a summons shall have been issued for the attendance of a defendant or respondent to give evidence or produce a document, the hearing or decision shall, upon the application of the plaintiff or appellant, be postponed in like manner, unless there be good reason to the contrary, until the defendant or respondent can be personally summoned, or shall attend and give evidence, or produce the document required.

XXXI. On the day appointed for the hearing, the evidence of the attending witnesses shall be taken orally in open Court, in the presence and hearing, and under the personal direction and superintendence of the Judge. The evidence of each witness given upon such examination shall be taken down in writing, by or in the presence and under the superintendence of the Judge, not ordinarily by question and answer, but in the form of a narrative, and when completed shall be read over to the witness, and signed by him in the presence of the Judge and of the parties to the suit or their vakeels, or such of them as may think fit to attend. In case the witness shall refuse to sign the deposition, the Judge shall sign the same, and record the reason, if any, given by the witness for such refusal, together with such remarks thereon as the Judge shall think fit to make. It shall be in the discretion of the Judge to take down, or cause to be taken down, any particular question and answer, if there shall appear any special reason for doing so, or any party or his vakeel shall require it. If any question put to a witness be objected to by either of the parties, or their vakeels, and the Court shall allow the same to be put, the question and answer shall be taken down, and the objection, and the name of the party making it, shall be

noticed in taking down the depositions, together with the decision of the Court upon the objection. The Judge shall also record such remarks as he may think material respecting the demeanour of any witness whilst under examination.

XXXII. In cases where the evidence is needed of females who, according to the custom of the country, ought not to be compelled to appear as witnesses in a Court of Justice, and in which the Court shall be of opinion that the ends of justice require and justify it, such Court may issue a commission to any Officer of the Court or other person, to be named in such commission, for the examination of such females in the hearing of the parties to the suit or their vakeels in such manner as the Court may direct, having regard to the custom and usage of the country, and with liberty to the parties or their vakeels to cross-examine, anything in Section V. Act VII. 1841 to the contrary notwithstanding.

XXXIII. On or before the day appointed for trial the Court may, for any sufficient reason, such as the unavoidable absence of any material witness, or for other good cause, on the application of either party, postpone the hearing to another day, to be named, on such terms as to the payment to the opposite party of his costs occasioned by the postponement, and otherwise, as to the Court shall seem reasonable. In such case notice in writing shall be given to each of the witnesses to attend and give evidence, or to produce a document, on the substituted day, instead of the day mentioned in their summonses, if there be time to do so, and the Judge shall so order. The notice shall be served in the same manner as a summons. The service of such notice shall have the same effect as if the substituted day had been originally named in such summons as the day for the appearance in Court to give evidence or produce a document, and all the provisions in this Act relating to summonses to give evidence or produce documents shall extend to such notices, in the same manner as if such notices had been expressly mentioned in such provisions. If the application be too late to serve such notices, the Court may order that the examination of any witness who may be present, or shall attend in pursuance of a summons, shall be proceeded with, and that the further hearing of the case, after the examination of such witness, shall alone be postponed.

XXXIV. Unless the hearing be postponed in manner aforesaid, it shall commence on the day appointed, or as soon afterwards as the business which may be pending before the Court, and may be entitled to priority, will allow, and the recording of evidence on the trial of any suit when begun under the rules above enacted shall, unless there be good and sufficient reason to the contrary, (which reason shall be recorded,) continue on the same day, or on consecutive business days, until the whole of the evidence of the witnesses present shall be heard. The parties, or such of them as desire it, shall then be heard, either by themselves or their pleaders, orally, on the merits of the case as regards the issues both of fact and law, and, after considering the arguments and evidence, the Judge shall record his judgment, under Act XII. of 1843.

XXXV. If the Court, after the evidence of all the witnesses shall have been heard, and before hearing the pleaders or recording the judgment, shall think it necessary for the ends of justice to inspect any document or to examine any party to the suit, or any other person whose evidence may appear to be material, the Court, of its own accord, may cause such party or person to be summoned to

attend as a witness, to give evidence, or to produce such document, if in his possession, on a day to be appointed, and may examine such party or person as a witness, in open Court, or in such other manner as the Court may direct, upon any question which the party or witness may be bound to answer and the Court may think necessary, and may also compel the production of any document mentioned in such summons, which any such person may have in his possession or power, and be bound to produce. Any witness so called shall be subject to the cross-examination of either party, or his vakeel. If such person, whether a party or not, shall be a female who, according to the custom of the country, ought not to be compelled to appear as a witness in a Court of Justice, the Court may order such person to be examined in the manner provided by Section XXXII. of this Act, upon such questions as it may direct. The Commissioner or other person authorised to take the examination in such case may put such further questions as in his judgment may be necessary, or may arise out of the answers to be given to the questions directed by the Court.

XXXVI. The Judge may cause public notice to be given in Court, either before or during the examination of any witness, requiring all or any other witnesses, whether parties or not, who have been summoned or inserted in the list of witnesses in the same cause, to leave and to remain out of Court until further order. Any witness in a cause who, without lawful excuse, shall wilfully remain in or come into Court, contrary to such notice, shall be punishable in the same manner as for a contempt of Court in open Court. Whenever such notice shall be given, the consequence of disobedience thereto shall be publicly explained at the time of giving the notice.

XXXVII. Any party to a suit, appeal, or proceeding, who may be examined as a witness therein, shall, except as otherwise provided by this Act, be examined according to the rules for the time being in force as to the examination of witnesses not being parties to the suit, and shall be punishable for any false evidence given by him, in the same manner as if he were not a party.

XXXVIII. The words "witness" and "witnesses," in Act VII. 1841, shall respectively include any party or parties to a suit, and the said Act shall be read as if the words "or party" "or parties" had been used in such Act, in conjunction with the words "witness" or "witnesses" respectively.

Provided that the deposition of a party taken under the provisions of this Section, at the instance of any opposite party, may be read in evidence by or on behalf of such last-mentioned party, without the proof required by Section V. of the said Act. Provided also that no deposition of any party taken under the provisions of this Section shall be read or used in evidence unless taken and read at the instance of some opposite party, or unless it shall be proved that the deponent is unable, from sickness or infirmity, to attend to be personally examined, or is, without collusion, or any reference to the suit, at so great a distance from the Court that in the judgment of the Court it would be unreasonable to require his personal attendance in Court for the purpose of giving such evidence, in which last-mentioned case it shall be discretionary with the Court, having regard to the nature of the case and of the evidence given, either to allow or to refuse such deposition to be read.

XXXIX. No appeal shall lie from any order or decision of a Judge with respect to summoning or examining any party to a suit, or as to allowing a deposition to be read under the Section next preceding.

XL. If any party to any such suit as aforesaid shall, in any pleading or statement, refer to any document in his possession or power, as a material proof or document in support of his claim or defence, he shall file such document with the pleading or statement, unless the Court shall, for good and sufficient cause, extend the time for filing the same; and any adverse party shall be entitled, by himself or his vakeel, to inspect and take a copy of the document.

XLI. In the construction of this Act, unless where it is otherwise expressly provided, or there is something in the subject or context repugnant to such construction, or which would render such construction inapplicable to the case, the word "Court" shall mean any Civil Court of the East-India Company, and shall include any Judge or other Officer or person mentioned in Section II. of this Act; the word "Judge" shall be understood to mean the chief judicial authority deciding in any such Court, and shall include any Officer or person having by law or consent of parties authority to examine witnesses and to act judicially; the word "suit" shall be deemed to mean and include any suit, appeal, or proceeding mentioned in Section II.; the word "witness" shall include all persons competent and liable to give evidence, whether parties to any suit or proceeding or not. Words importing the masculine gender or singular number shall include the feminine gender or plural number, and vice versa.

XLII. This Act shall come into operation on the 19th August 1854.

W. MORGAN,
Clerk of the Council.

Legislative Council.

19th August 1854.

The following Bill was read a second time in the Legislative Council on the 19th of August 1854, and referred to a Select Committee, who are to report thereon after the 23rd of November next:—

A Bill for the further Improvement of the Law as administered in Her Majesty's Supreme Courts; for the Transfer and Abridgment of the Ecclesiastical Jurisdiction thereof; and for giving additional Powers in certain cases to Justices of the Peace, with regard to Offences committed out of their Jurisdiction.

I. The business of Her Majesty's Supreme Courts, after this Act comes into operation, shall be transacted on four divisions or sides of the Court only, viz. the Plea, the Equity, the Admiralty, and the Crown side.

II. In any suit brought on the Admiralty side of any of the Supreme Courts, or in any Vice-Admiralty Court in the territories subject to the Government of the East India Company, which is likely to involve any question of nautical skill, the Court shall have power to summon, from persons possessing such skill, one or more, not exceeding three in number, to sit as Assessor or Assessors to the Court on the trial of the cause; but such Assessor or Assessors shall not be required to deliver his or their opinion or opinions publicly; and the Judge or Judges may retire and confer with him or them in private, and the decision of the case shall rest with the Court.

III. The Court shall have power to allow a remuneration to each Assessor for his attendance, at the rate of one Gold Mohur each a day, and such remuneration shall be in the first instance payable by the Promovent, as part of his costs in the cause.

IV. The Assessors must swear, or solemnly affirm,

* No appeal from Judge's order as to summons, &c.

Assessors to be sworn, &c. their opinion honestly and truly, according to the evidence.

V. The jurisdiction which the said Supreme Courts possessed prior to the passing of this Act on their Ecclesiastical side shall cease on that side, and be transferred entirely to the Equity side of the Court, except as to suits pending at the time when this Act comes into force, and the jurisdiction as to matters of Ecclesiastical jurisdiction shall be limited to Causes Testamentary, including Administrations and Causes Matrimonial. Provided that in any suit for restitution of conjugal rights, the Court shall be at liberty to limit its sentence to one for alimony, without making any order to compel cohabitation.

VI. The procedure as to matters which were of Ecclesiastical cognizance, and which are directed to be transferred to the Equity side, shall be that which may be in force on the Equity side, modified by the Rules and Orders of the Court, so far as it may require to be modified in order to give effect to this Act.

VII. When any Probate or Letters of Administration granted by the Supreme Courts in one Presidency to have effect throughout British India, and there are Assets of the Estate in any of the other Presidencies, it shall not be necessary to obtain any fresh grant of Probate or fresh Administration in any other of such Presidencies, but the one first granted shall operate throughout the territories of British India, and shall, as to any Assets therein, be of the same force and effect as if it had been granted by the authority of the Supreme Court of the Presidency in which such Assets may be.

VIII. *Clause 1st.*—When any Letters of Administration shall have been granted by any other of the Supreme Courts after such first grant as aforesaid, and without the assent of the Executor or Administrator to whom such first grant or Letters of Administration, such letters shall be liable to be revoked by the Court granting the same on the application of the Executor or Administrator under the first grant; but all acts done under them in the due course of Administration shall be valid to all intents and purposes. The Administrator under the second grant shall, when it is revoked, be liable to account to the Executor or Administrator under the first, and to pay over to such Executor or Administrator under the first whatever may remain in his hands to be distributed.

Letters of Administration granted by any Supreme Court after grant of Probate or Letters of Administration by the Supreme Court of another Presidency may be revoked.

But acts of Administrator under the second grant to be in the mean time valid, &c.

Administrator under second grant to be accountable after revocation to Executor or Administrator under first grant.

Administrator under second grant to be accountable after revocation to Executor or Administrator under first grant.

Clause 2nd.—When Administration, or Administration with the Will annexed, shall have been granted ex officio to the Administrator General of one Presidency, and there are Assets belonging to the Estate in another or other Presidencies, it shall not be necessary for the Administrator General of another Presidency in which there

may be Assets to take out Letters of Administration, but each may act as to the Assets within his Presidency, in the collection and distribution of them, in like manner as if he had taken out Letters of Administration in the Presidency in which he is Administrator General, and each shall be entitled to his Commission on the Assets collected and distributed by him, as though there had been separate grants of Letters of Administration to each; and the Letters of Administration to the Administrator General, by virtue of his office, shall be expressed so as to give to each Administrator General in each Presidency the right to collect and distribute the effects in his Presidency, and each shall be answerable for his own acts and defaults only, and not for those of any other Administrator General. And when any Administrator General has taken out Letters of Administration, and he has reason to believe that there are Assets in another Presidency, he shall forthwith certify under his hand to the Administrator General of such Presidency the fact of his having taken out such Letters of Administration, and shall give such information as he possesses as to the existence of Assets in the Presidency of the Administrator General to whom such communication is addressed. And it is further enacted, that each Administrator General shall give notice, in like manner as the Administrator General taking out Letters of Administration is obliged to give notice, that he claims to administer in his Presidency by virtue of such grant of the Court which issued the Letters describing it, and thereupon any party disputing his right, and intending to claim the right to probate, or to administer in that Presidency to which such notice relates, may apply to the Supreme Court of the Presidency of the Administrator giving such notice for a grant to himself, and to revoke, so far as it relates to the particular Presidency, the original grant, which the said Court shall have power to do as fully as if such grant had been one of that Court. It is further enacted that such certificate shall, on its production, be sufficient proof of the grant of such original Letters, which shall be judicially presumed to be in the regular form directed by this Act.

IX. When any suit is instituted in any of Her Majesty's Supreme Courts, on the Equity side thereof, such Court shall proceed with the suit if it embraces any matter of equitable jurisdiction, and in such suit determine all matters, whether of Law or Equity, that therein arise, and give all such consequential relief as may be necessary to give full effect to the rights determined, and in so doing shall have power to bring before it, by notice, provided such person be subject to its jurisdiction, any person not a party to the suit, whose rights may appear to be affected by the enforcement of such consequential relief.

And may bring before it by notice persons interested, though not parties to the suit.

And may bring before it by notice persons interested, though not parties to the suit.

X. In any Bill or Claim which is filed in any of Her Majesty's Supreme Courts after the time when this Act comes into effect, for the specific performance of any agreement, the relief may be asked in the alternative for a specific performance or for damages; and the Court shall have power to award damages, if it think that under the circumstances it would not be equitable, or proper, or practicable, to give relief by specific performance, in like manner and to as full an extent as damages might be given in an action at Law for the same breach of agreement.

XI. When any action is instituted in any of Her Majesty's Supreme Courts, on the Plea side thereof, such Court shall proceed with the action if it em-

Equitable defences allowed to actions instituted on the Plea side.

braces any matter of jurisdiction on the Plea side of the Court, and all defences on equitable grounds which might have been made the subject of an application to a Court of Equity to restrain proceedings at Law, in such a suit, under the like circumstances, shall be made matter of defence in that suit; and no

Bills to restrain progress of suits on the Plea side not allowed.

shall hear and determine in

Plaintiff may set up any equitable defence to set-off or counter-claim.

and it shall have power, on the

Court on its Plea side may make orders in the nature of injunctions.

which it may see fit to direct, and also to restrain the opposite party, either temporarily or perpetually, from doing any act with reference to the subject matter of the suit as a Court of Equity might have restrained such party upon a Bill filed, and praying an injunction against him.

XII. From the time when this Act comes into operation, Her Majesty's Supreme Courts on their Plea side, and Courts of Small Causes, to have jurisdiction to try actions on lost negotiable securities. Bill of Exchange or other negotiable security, as to which, before this Act came into operation, the remedy would have been on the Equity side of the Court alone, and shall have power to order indemnity to be given by the Plaintiff recovering in such action, in like manner as it would have been ordered by the Court on the Equity side thereof, and to stay execution until such security be given. And the several Courts of Small Causes at the Presidencies of Fort William, Fort St. George, and Bombay, respectively, shall have, within the limits of their respective jurisdictions, the same jurisdiction and powers as are hereby enforced in the Supreme Courts, as to such causes of action.

XIII. If in any action at Law it becomes necessary for the determination of the rights of the parties to take an account which cannot be conveniently taken in open Court, the Court shall have power to direct the account to be taken in like manner as upon a Bill or Claim filed on the Equity side of the Court, and may, if there is no other question to be tried or decided in the cause, stay further proceedings be taken, and the certificate of the Judge or Officer taking the account shall be sufficient proof of its result.

And may stay proceedings till account taken.

therein until such account Certificate of Judge or Officer taking account to be sufficient proof of its result.

XIV. In any action or suit, whether original or continued by revivor, or in any stage thereof, wherein a question arises whether an Executor or Administrator or other Representative has Assets to satisfy the demand, the opposite party shall not be bound to allege or to prove the existence of such

Assets, but may call on the Executor or Administrator, or such Representative, either to admit Assets sufficient to satisfy the demand, or to show that he either never received any Assets of his testator or intestate, or that he has duly applied and accounted for the same.

XV. All choses in action and rights, capable of

Choses in action, &c. to be assignable at Law.

shall be assignable at Law, and in every action for the recovery thereof at Law, the Assignee shall sue for the same in his own name, and not in the name of the Assignor, and in every such

Assignee to sue in his own name.

action the right of the Plaintiff to recover shall be subject to any claim or set-off

Plaintiff's rights to be subject to any set-off of Defendant against Plaintiff himself, or against the original or any subsequent Assignor before notice.

XVI. It shall not be necessary to make the Assignor a party to an action at law or suit in Equity by the Assignee of any chose in action against the party liable in respect of the matter assigned, and such party liable shall, in the absence of fraud on his part, be as effectually discharged from his original liability, by the proceedings in such action or suit, as he would have been had the alleged Assignor of such chose in action been a party to such proceedings.

Assignee need not make Assignor party to action or suit.

Assets in Equity to be also Assets at Law.

XVII. All Assets, which are Assets in a Court of Equity, shall also be Assets at Law, and all debts, whatever the nature of them, shall be paid *pari passu* after the death of any Debtor dying after the passing of this Act, by his personal Representatives, or in any suit for the administration of the Estate of the said person. Provided that this provision shall not impair or affect any mortgage, pledge, or lien, legal or equitable, whether given by the Law or the act of the party, or any payment *bona fide* made by any such Representative in ignorance of the insolvency of the Estate.

All debts after the death of Debtor, whatever their nature, to be paid *pari passu*.

Proviso—that mortgages, pledges, &c., and payments made in ignorance of insolvency, are not to be affected by the above provision.

XVIII. A receiver shall have authority to bring any action in respect of the property of which he is appointed receiver, in his own name as receiver, but such action shall not be brought without the assent of the Court which has appointed him a receiver, and shall be under its control, so far as the same may be exercised without clashing with the authority of any other Court.

XIX. All persons appointed by Letters *ad colligendum bona* shall take the legal Estate for the purpose of protecting the Estate, and shall have authority to bring actions in the same manner as Administrators may sue; but they shall not have authority to alienate the Estate without the order of the Court under whose authority they act.

Persons appointed by letters *ad colligendum bona* may take legal Estate for the purpose of protecting it, and may bring action in same manner as Administrators.

But may not alienate Estate without leave of Court.

XX. When the Plaintiff or Defendant respectively require discovery in aid of an action at Law, or defence thereto, in any of Her Majesty's said Supreme Courts, it shall be lawful for such party by affidavit to state the reason why he requires discovery, and as to what it is required; and the Court thereon, if it sees that such discovery ought to be given, shall direct that the party to the suit from whom the discovery is sought may answer to interrogatories to be exhibited to him for such purpose.

Where Plaintiff or Defendant require discovery in aid of any action or defence thereto, Court may, if satisfied with the affidavit of such party, direct the opposite party to answer interrogatories.

to state the reason why he requires discovery, and as to what it is required; and the Court thereon, if it sees that such discovery ought to be given, shall direct that the party to the suit from whom the discovery is sought may answer to interrogatories to be exhibited to him for such purpose.

Provido that the party seeking discovery must pay the costs of obtaining it.

the party giving it, whatever be the event of the suit, in like manner. If a Bill of pure discovery had been filed on the Equity side of the Court, and answered.

Further proviso as to power of Court to compel a full answer, and to provide for costs thereof.

have exercised had such interrogatories been filed in a suit for discovery in the Equity side of the Court, and shall have the same power as to the costs of procuring such full answer as it would possess in the Equity side of the Court if the answer, to a Bill of Discovery were insufficient.

XXI. And whereas it is desirable to avoid the inconvenience of making public bodies parties to suits in which they have no interest, and where the contest is as to the right to property of which they are only the depositaries or managers for others, it is further enacted,

Supreme Court may in a summary way, without Bill filed, restrain East India Company from paying interest on, or renewing or parting with, Government Paper deposited in Treasury.

from paying the interest due or to become due on any of the Promissory Notes of the said Company, commonly called Government Paper, or from renewing or permitting the renewal of any such Government Paper, or from parting with any Government Paper which may have been paid into or deposited in the Public Treasury; and also to restrain any other public Company, whether incorporated or not, from permitting the transfer of any

And any public Company from transferring or paying dividends on any Stock or Share.

or corporate, in the books of such Company, or from paying any dividend or dividends due or to become due thereon.

XXII. Every order to be made upon such motion or petition as in the preceding

Orders made in pursuance of provisions of preceding Section to describe and specify Notes, Stock, Shares, &c. to be affected thereby.

thereby, and the name persons, body politic or same shall be standing;

Such orders may be varied or discharged, &c.

the case may require, by the Court granting the same, and the Court shall have power to award such costs upon any such application as it shall see fit.

XXIII. In no case, except by special order of Court, shall any Company,

No Company or Officer of a Company to be made a party to such proceedings, except by special order of Court.

made a party, either to the application for obtaining the order to restrain, or to any application to discharge, vary, or continue such order, or to any suit or proceeding which may be instituted, either before or after the issuing of such order, for the purpose of determining the title or right to the Government Paper or other Stock or Shares which may be the subject of such order; and in every such suit or proceeding it shall be lawful for the Court wherein the same is pending

But Court may order East India or other Company how

Provided that the party asking for such discovery shall be liable to pay the cost of obtaining it, to the party giving it, whatever be the event of the suit, in like manner. If a Bill of pure discovery had been filed on the Equity side of the Court, and answered.

Provided always, that the Court shall have and exercise the same power to compel a full answer to such interrogatories as it might

that it shall be lawful for any of Her Majesty's Courts, upon the application of any party interested, by motion or petition in a summary way, without Bill filed, to restrain the East India Company from paying the interest due or to become due on any of the Promissory Notes of the said Company, commonly called Government Paper, or from renewing or permitting the renewal of any such Government Paper, or from parting with any Government Paper which may have been paid into or deposited in the Public Treasury; and also to restrain any other public Company, whether incorporated or not, from permitting the transfer of any

Stock or Shares in such Company, which may be standing in the name or name of any persons, or body public or corporate, in which the same shall be standing; and upon the application of any party interested may be discharged, varied, or continued, as the justice of the case may require, by the Court granting the same, and the Court shall have power to award such costs upon any such application as it shall see fit.

or names of the person or corporate, in which the same shall be standing; and upon the application of any party interested may be discharged, varied, or continued, as the justice of the case may require, by the Court granting the same, and the Court shall have power to award such costs upon any such application as it shall see fit.

or names of the person or corporate, in which the same shall be standing; and upon the application of any party interested may be discharged, varied, or continued, as the justice of the case may require, by the Court granting the same, and the Court shall have power to award such costs upon any such application as it shall see fit.

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or names of the person or corporate, in which the same shall be standing; and upon the application of any party interested may be discharged, varied, or continued, as the justice of the case may require, by the Court granting the same, and the Court shall have power to award such costs upon any such application as it shall see fit.

to deal with the Government Paper, Stock, Shares, &c., although Company not party to suit or proceeding.

to order the East India Company, or any of the Officers thereof, or any other public Company, or any of the Servants or Officers thereof, to deal with the Government Paper, Stock, or Shares which are the subject of the said suit or proceeding, or the interest or dividends of such Government Paper, Stock, or Shares, as the said Court may deem just, although the Company or person upon whom such order is made is not a party to the suit or proceeding wherein the same is made.

XXIV. No action or suit shall lie against the East

No such Company to be liable for anything *bona fide* done, &c. in pursuance of any such order.

to be done by them, or any of them, in pursuance of any order made under the provisions of the foregoing

Remedy of party aggrieved by any such order.

the party at whose instance the same shall have been obtained.

XXV. And whereas by Act No. XVII. of 1852

Where parties desirous of stating a special case cannot agree on all the facts, they may state those admitted and also those in dispute.

Company, on the Equity, Plea, Ecclesiastical, or Admiralty sides thereof respectively, to concur in stating such question in the form of a special case for the opinion of such Courts, in which special case such facts and documents as may be necessary to enable the Court to decide the question raised thereby are to be admitted and stated; and whereas it is expedient to extend the provisions of the said Act, and to enable such persons, in the form of a special case, to take the opinion of the Court upon the questions of fact as well as upon the questions of law in dispute between them; it is enacted that, from the time when this Act comes into operation, it shall be lawful for any persons desirous of stating a question in the form of a special case for the opinion of the said Courts, but unable to concur upon all the facts necessary to enable the Court to determine such question, to state both the facts and documents which are admitted between them, and the questions of fact which are *bona fide* in dispute between them, and to pray for the decision of the Court upon such disputed questions of fact, and subject thereto, for its opinion upon any question of Law or Equity arising either upon the facts as admitted, or the facts as found, or upon both together; and the Committee of the

Committees of lunatics, guardians, &c. may concur in such statements.

with her husband, and the guardian of an infant, and a guardian specially appointed by the Court for the purpose of concurring in a case, and the Court in the appointment of such special guardian, shall respectively have and may exercise such and the same power of concurrence in a case involving disputed issues of the fact, as heretofore they had and might have exercised with respect to a special case stated under the said recited Act.

XXVI. Upon any special case involving disputed

In special case involving disputed facts, Court how to proceed.

ing upon certain issues of fact, or to proceed to the trial of such issues, and to reserve its decision upon the other questions in the case, until such facts shall have been found; and upon the trial of any issues of fact

Upon the trial of issues arising out of such special case, and requiring examination of witnesses, Court to proceed as under Act XXI. of 1848.

trial of an issue directed under Act XXI. of 1848.

XXVII. Except so far as they are modified by this Act, all the provisions of the said recited Act XVII. of 1852 relating to the statement and determination of special cases stated under that Act, and to the effect of such determination, and to the right of having a special case re-heard, or of appealing from the decision thereon, shall extend to and apply to special cases involving disputed questions of fact.

XXVIII. From the time when this Act comes into operation, it shall be lawful for any parties who are desirous to try, without formal pleadings, any question within the jurisdiction of Her Majesty's Courts, which is *bona fide* in dispute between them, to present to any of the said Courts a petition verified by affidavit, and stating that the question or questions to be tried are *bona fide* in dispute between them, and the nature thereof, and that all the litigant parties consent to have such question or questions tried without formal pleadings, and are subject to or submit themselves to the jurisdiction of the Court; and thereupon it shall be lawful for the Court to order that such question or questions shall be tried without pleadings, and to proceed to try the same as if the several issues of fact or law had been regularly raised upon formal pleadings, and to give judgment or make a decree in a summary way accordingly; and the judgment so given, or the decree so made, shall be entered, and execution shall issue thereon, and the parties shall be bound thereby, in such and the same manner and to the same extent as upon a judgment recovered, or a decree made in a regular suit.

XXIX. When any trial for any crime in any of the Supreme Courts, by reason of its length, requires to be adjourned until another day, the Court shall, on its adjournment, permit the Jurors to go at large until the time of meeting again according to the adjournment, unless under the particular circumstances of any case such course seem inexpedient.

Judgment or decree thereupon to have same effect as judgment or decree in a regular suit.

XXX. When the Jury retire to consider their verdict, the Court may, if it see fit to do so, order them to be supplied with suitable accommodation, lights, and food, &c.

XXXI. In any criminal trial by Jury in any of Her Majesty's Supreme Courts, if the Jury, after they have retired to consider their verdict, cannot agree thereon, then, after they have remained six hours in deliberation on the case, they may return into Court, and declare their inability to agree, and if the Court shall not send them back to consider the case further, and if the majority, not being less than 3-4ths in number of the whole twelve, are agreed, the Foreman shall declare, without naming or otherwise distinguishing the individuals composing the majority or minority, that 9, 10, or 11, as the case may be, have agreed on their verdict, but that the Jurors are

not unanimous; and thereupon the verdict shall be recorded as the verdict of the major part of the Jury, stating therein how many Jurors agree in that verdict, and the verdict so delivered shall, to all intents and purposes, be as valid in Law as if it had been the verdict of an unanimous Jury, and the judgment shall be entered upon it as on a verdict of the majority given according to Law; and it shall not be necessary to record in the judgment the opinion of the minority.

XXXII. If, after a Jury in any such criminal trial in any of the said Supreme Courts shall have been in deliberation on their verdict for a time which, with reference to the amount of evidence in the case, shall appear to the Court ample for a full and deliberate consideration of the evidence, not being less in any case than six hours, they shall return into Court and state that 3-4ths in number are not agreed, and express their inability to agree, the Court may discharge them from giving a verdict; and in that case the Defendant shall be liable to be tried again for the same offence, but only once again, and shall not be put on his trial a third time, whatever be the result of the second trial, provided the same proceed to an end without interruption by sickness or death, or other sudden accident, after the commencement of such second trial.

If after six hours' deliberation 3-4ths of Jury are not agreed, the Court may discharge Jury, and Defendant may be tried again for the same offence.

But in no case Defendant to be put on his trial for the same offence a third time, if the second trial proceeded to an end without interruption.

charged as aforesaid, shall be of opinion, either from the slightness of the proof and the apparent difficulty of procuring better proof on another trial, or from the slightness of the offence in itself, or under the circumstances of its commission, that a second prosecution would not advance the interests of Justice, it shall have power to direct by its order, to be endorsed on the Record, that no other prosecution for that offence shall take place; and that order may be pleaded in bar of any other prosecution for that offence.

XXXIII. If the Court, where the Jury is so discharged as aforesaid, shall be of opinion, either from the slightness of the proof and the apparent difficulty of procuring better proof on another trial, or from the slightness of the offence in itself, or under the circumstances of its commission, that a second prosecution would not advance the interests of Justice, it shall have power to direct by its order, to be endorsed on the Record, that no other prosecution for that offence shall take place; and that order may be pleaded in bar of any other prosecution for that offence.

XXXIV. If any other prosecution should be instituted in the same Court for that offence, the Court may order the Clerk of the Crown to prepare such plea for the Defendant, if he have not counsel, and desire it, and may allow him to withdraw his plea of Not Guilty at any stage of the cause before verdict, and put in the above plea.

XXXV. Where any offence which may be tried in any of the Supreme Courts has been committed on the High Seas, or other place beyond the jurisdiction of any Justice of the Peace, it shall be lawful for any Justice of the Peace, within the limits of whose jurisdiction the offender may afterward be, on complaint or information of such offence, to issue his warrant for the apprehension of such offender, and he shall have power and authority by such warrant to order the party to be brought before himself, or some other Justice of the Peace in the same Commission, or before a Justice of the Peace in and for the place where the offence was committed, for examination, with a view to the commitment of such person for trial before such Supreme Court; and the Justice or the Peace before whom such party shall be brought shall proceed in the same mode in such examination, and in taking and forwarding the depositions, and shall have the same powers in all respects for the summoning and enforcing the attendance of witnesses, and otherwise, as if the offence had been committed within the

Justices of the Peace empowered to inquire into offences committed on the High Seas or places on land beyond the limits of their Commissions.

If after such order a second prosecution be instituted, Court may direct a plea to be preferred for the Defendant.

meeting again according to the adjournment, unless under the particular circumstances of any case such course seem inexpedient.

Court may allow Jury after retirement to be supplied with lights, food, &c.

On criminal trials, where adjournment necessary, Court may at its discretion permit Jurors to go at large until time fixed for meeting again.

If Jury cannot agree after six hours' deliberation, but a majority of not less than 3-4ths are agreed, verdict of such majority to be as valid as if Jury unanimous.

limits of his jurisdiction as such Justice, and the depositions taken in such mode and returned shall be subject to all Laws that apply to depositions taken before Justices of the Peace for crimes committed on land, and which they must, conformably to Law, send up on commitment to the Supreme Court.

XXXVI. Whenever a private person, or a public

Private persons and public Officers to have same authority in respect of offences committed on the High Seas as on land.

Officer, may arrest or detain on suspicion or charge, for a reasonable time, with a view to inquiry, or to bring the arrested person before a Peace Officer or Justice of the Peace, on such matter of suspicion or charge, supposing the offence to be committed on land, such arrest and detention shall be justifiable also by such persons respectively for crimes of the same class committed at sea, but subject to the same limits as to the right of arrest and conduct in assertion of such right as apply to crimes of the same class committed on land.

W. MORGAN,
Clerk of the Council.

Legislative Council.

19th August 1854.

The following Bill was read a second time in the Legislative Council on the 19th of August 1854, and referred to a Select Committee, who are to report thereon after the 23rd of November next:—

A Bill to extend the Operation of, and regulate the mode of executing Writs of Execution in Her Majesty's Supreme Courts of Judicature.

Whereas it is desirable to extend the operation of, and regulate the conduct of Writs of Execution out of Her Majesty's Supreme Courts, in certain cases; It is enacted that—

I. Under any writ of *feri facias* issued in any of Her Majesty's Supreme Courts, on any side of the Court, may be seized and taken any lands, houses, or other immoveable property of the party against whose

effects such writ issues, whether his estate or interest therein be legal or equitable, as also money, bank notes,

And money, bank notes, debts, &c. cheques, bills of exchange, promissory notes, hoondees, Government paper, bonds, or other securities for money, and also debts belonging to the said person, and the Sheriff or other Officer having the execution of the writ shall be at liberty to

And to pay money or bank notes to executive creditor. pay or deliver over to the party suing out such execution any money or bank notes which shall so be seized, or a sufficient part thereof, and shall, with the order of the Court, endorse over or

And with the order of the Court to endorse over, and without such order to hold cheques, bills of exchange, &c. transfer, and without such order shall hold any such cheques, bills of exchange, promissory notes, bonds, specialties, or other securities for money, as a security or securities for the amount by such writ of *feri facias* directed to be levied, or so much thereof as shall not

And to sue in his own name for amount secured by bills of exchange, &c. have been otherwise levied and raised; and may, where he retains the same, sue in his own name as such Sheriff or Officer, for the recovery of the sum or sums secured thereby, or for any debt seized as aforesaid, when the

Or for debts. time of payment thereof shall have arrived; and the payment to such Sheriff or other Officer, or to the party entitled under such endorsement or transfer, by the party liable, with or without suit, or the recovery and levying execution against the party so liable, shall discharge him

to the extent of such payment, or of such recovery, and levy in execution, as the case may be, from his liability on any such cheque, bill of exchange, promissory note, hoondee, bond, specialty, security, and debt; and such Sheriff or other Officer may and shall pay over to the party suing out such writ the money so to be recovered, or such part thereof as may be sufficient to discharge the amount by such writ directed to be levied; and if, after satisfaction of the amount so to be levied, together with Sheriff's poundage, and all lawful charges and expenses, any surplus shall remain in the hands of such Sheriff or other Officer, the same shall be paid to the party against whom such writ shall be so issued, unless the same is duly attached in the hands of such Sheriff or other Officer.

Proviso as to indemnify Sheriff. Provided that no Sheriff or other Officer shall be bound to sue any party liable upon any such cheque, bill of exchange, promissory note, hoondee, Company's paper, bond, specialty, security, or debt, unless the party suing out such execution shall give security to the Sheriff for indemnifying him from all costs and expenses to be incurred in the prosecution of such action, or to which he may become liable in consequence thereof; the nature and amount of such security to be determined, in case they cannot agree, by the proper Officer of the Court in which such action shall be brought, or, if the Court shall so order, by some other person to be appointed by the Court for such purpose; and the expense of the proceedings to obtain such security shall be deducted out of any money to be recovered in such action, and the net proceeds only in this and other cases provided for by this Act shall be considered as received in satisfaction of the debt due to the executive creditor.

II. If the Sheriff or other Officer, under any writ of *feri facias*, shall seize any Sheriff empowered to receive interest on Government paper seized by him. Government paper standing in the name of, or belonging to the party against whose property such writ shall be issued, he shall have power to receive the interest due on such Government paper, whether specially endorsed or otherwise, and to sign a receipt for the same; and also to sell and dispose of such Government paper through a broker at the market rate of the day; and if the endorsement of such party shall be required to transfer such Government paper, the Sheriff or other public Officer shall endorse the same thus—"A. B. by C. D., Sheriff"; and such endorsement shall be as effectual to pass the said Government paper, and to give a good title to the holder thereof, as if the same had been endorsed by the party himself, or his duly constituted Attorney.

III. No debt shall be sold by the Sheriff under the process of the said Court, any No debt to be sold by Sheriff. Charter of any of the said Supreme Courts to the contrary notwithstanding, but the same shall be realized in the mode hereinbefore directed. Provided that nothing in this Act contained shall prevent the making of any interlocutory applications or order for the payment of any admitted debt that has been seized under a writ of execution, into the hands of the Sheriff.

IV. When any property that the Sheriff or other Officer is by the first Section of this Act directed to seize shall consist of lands, houses, or other immoveable property in the possession of tenants to the party, the seizure must be effected by notice in writing to such tenants, and not by actual seizure of the premises, and where the property belongs to the defendant by an equitable and not a legal title, and the trust is of that character that he is

When seizure of immoveable property or of chose in action or debts is to be by notice, and not by actual seizure.

be effected by notice in writing to such tenants, and not by actual seizure of the premises, and where the property belongs to the defendant by an equitable and not a legal title, and the trust is of that character that he is

not entitled to possession of the lands, houses, or other immoveable property, or to the receipt of the rents and profits thereof himself, or his title is in remainder or reversion, then actual possession must not be taken of the property, but seizure must be made by notice to the tenants, if any, or to the party in possession as before, and also to the trustees or some or one of them, if they are known, or otherwise in such mode as the Court may direct; and all choses in action and debts which are not secured or evidenced by any of the securities before named, must be seized by means of notice only to the debtor or person liable to satisfy the said debt or claim. And after such seizure as aforesaid, no payment which is made to any person other than the Sheriff or other Officer, or to such person as he may appoint to receive it shall be any discharge, unless it be made in payment of any prior debt, charge, lien, or expense, or cost which would be good against the party against whom such execution issued, but the payment to the Sheriff or such Officer shall operate as a full discharge of the party liable, and all claims to the money must be asserted against the Sheriff or such Officer in such case; and all rival claims thereto shall be adjusted, settled, and discharged by interpleader between the parties.

After such seizure no payment except under certain circumstance to any one but the Sheriff to be a discharge.

or the Court may order, shall be any discharge, unless it be made in payment of any prior debt, charge, lien, or expense, or cost which would be good against the party against whom such execution issued, but the payment to the Sheriff or such Officer shall operate as a full discharge of the party liable, and all claims to the money must be asserted against the Sheriff or such Officer in such case; and all rival claims thereto shall be adjusted, settled, and discharged by interpleader between the parties.

Payment to Sheriff to be full discharge.

shall operate as a full discharge of the party liable, and all claims to the money must be asserted against the Sheriff or such Officer in such case; and all rival claims thereto shall be adjusted, settled, and discharged by interpleader between the parties.

V. As to priority of writs of execution, directed

First writ of execution to have priority over other writs.

shall have priority over other writs; and that no writ of execution against property shall be delivered to the Sheriff or received by him to lie in the office without the order of Court. And as to subsequent writs of the like kind, the money raised, whether it be of a surplus under a former writ or of the property first seized, but not sold, shall be distributed ratably amongst all the creditors having writs in the hands of the Sheriff, at any time prior to the receipt of the money by the Sheriff, according to the amount of their debts, without regard to priority. In case any dispute shall arise as to the proceeds of such execution, the Sheriff may pay the fund into Court, deducting for his cost and expenses and poundage, and other claims, if any; and the claims of the respective claimants shall be settled and adjusted in the said Court by interpleaders amongst themselves.

Levy of subsequent writs to be distributed ratably among creditors having writs.

writs in the hands of the Sheriff, at any time prior to the receipt of the money by the Sheriff, according to the amount of their debts, without regard to priority. In case any dispute shall arise as to the proceeds of such execution, the Sheriff may pay the fund into Court, deducting for his cost and expenses and poundage, and other claims, if any; and the claims of the respective claimants shall be settled and adjusted in the said Court by interpleaders amongst themselves.

Dispute of claimants to be settled by interpleaders.

cost and expenses and poundage, and other claims, if any; and the claims of the respective claimants shall be settled and adjusted in the said Court by interpleaders amongst themselves.

VI. If any person, against whom any writ of

Shares, dividends, &c. may be attached in books of public Company.

execution shall have issued, shall have any shares in any public Company in India, subject to the jurisdiction, or within reach of its process, and whether incorporated or not, such shares standing in his own name and in his own right, or in the name of any person in trust for him, or shall be entitled to any interest in the dividends, interest, or annual produce of such shares, it shall be lawful for the Court or a Judge, on application of the party having recovered such judgment, to make an order *ex parte* to attach such shares; and such dividends, interest, or annual produce shall be attached in the books of the said public Company, to answer the purposes of such execution; and such shares shall not be suffered to be transferred, nor shall such dividends, interest, or annual produce be paid until such order of attachment shall be withdrawn, discharged, or disposed of, and no disposition in the mean while by

During such attachment shares not to be transferred, nor dividends, &c. paid.

such order of attachment shall be withdrawn, discharged, or disposed of, and no disposition in the mean while by

such debtor shall be valid or effectual as against such party recovering such judgment and obtaining such order of attachment.

VII. A copy of such order of attachment shall be

Copy of order of attachment to be served on debtor.

served on the debtor or his Attorney or Agent, and unless the said debtor or some other person interested shall, within the space of twenty days from the service of such order of attachment and copy, or from the date of the last service, or such other time as the Court or a Judge may think reasonable, show sufficient cause to the contrary, it shall be lawful for the Court or a Judge, if he shall so think fit, on proof of the service of such order of attachment and copy, to make and order on all persons, corporations, and public Companies whose act or consent is thereto necessary, to transfer the said shares belonging to the said judgment debtor, and standing in his own name or in the name of any trustee for him for his own benefit, into the name of the said Sheriff or other Officer as aforesaid, or to make payment of such dividends, interest, and annual produce to the said Sheriff; and all such persons, whose act or consent is so necessary as aforesaid, are hereby required to obey such order, and are indemnified for all things done or permitted pursuant to such order. Provided also, that it shall be lawful for such Court or a Judge, on the application of the debtor or any person interested, to discharge or vary such order for attachment, and to award such costs on such application as to the said Court or a Judge shall seem just.

And if he does not show good cause, Court may order transfer of shares or payment of dividends, &c. to Sheriff.

may think reasonable, show sufficient cause to the contrary, it shall be lawful for the Court or a Judge, if he shall so think fit, on proof of the service of such order of attachment and copy, to make and order on all persons, corporations, and public Companies whose act or consent is thereto necessary, to transfer the said shares belonging to the said judgment debtor, and standing in his own name or in the name of any trustee for him for his own benefit, into the name of the said Sheriff or other Officer as aforesaid, or to make payment of such dividends, interest, and annual produce to the said Sheriff; and all such persons, whose act or consent is so necessary as aforesaid, are hereby required to obey such order, and are indemnified for all things done or permitted pursuant to such order. Provided also, that it shall be lawful for such Court or a Judge, on the application of the debtor or any person interested, to discharge or vary such order for attachment, and to award such costs on such application as to the said Court or a Judge shall seem just.

Indemnity of parties obeying such order.

it shall be lawful for such Court or a Judge, on the application of the debtor or any person interested, to discharge or vary such order for attachment, and to award such costs on such application as to the said Court or a Judge shall seem just.

VIII. If such debtor shall have an interest in any

Where interest of debtor in shares, dividends, &c. is not vested, but contingent, Court may make *ex parte* order that such shares, &c. shall stand charged with payments.

such shares, or the dividends, interest, and annual produce thereof, not vested and in possession, but contingent or in remainder or reversion, it shall be lawful for the Court or a Judge, on a like application to be made by the party obtaining such judgment, to make an order *ex parte*, that such shares, dividends, interest, or annual produce, or a competent part thereof, shall stand charged with the payment of the amount for which such judgment shall have been recovered, and interest, or so much as shall remain unsatisfied, unless satisfactory cause shall be shown to the contrary by the said debtor or some other person interested within a time to be named in such order, and such order shall be served on the debtor or his Attorney or Agent, and unless cause shall be shown to the contrary within the time specified in such order, or at such time as the Court or a Judge may think proper, it shall be lawful for the Court or a Judge, if it or he shall so think fit, on proof of the service of such order, to make the same absolute; and such order shall entitle the creditor to all such remedies as he would have been entitled to if such charge had been made in his favor by the debtor. Provided that such Court or a Judge shall, on the application of such debtor, or any person interested, have full power to discharge or vary such order, and to award such costs upon such application as the Court or a Judge may think fit.

Such order within a certain time to be absolute, unless cause shown to the contrary.

may think proper, it shall be lawful for the Court or a Judge, if it or he shall so think fit, on proof of the service of such order, to make the same absolute; and such order shall entitle the creditor to all such remedies as he would have been entitled to if such charge had been made in his favor by the debtor. Provided that such Court or a Judge shall, on the application of such debtor, or any person interested, have full power to discharge or vary such order, and to award such costs upon such application as the Court or a Judge may think fit.

Proviso as to discharge of such order in certain cases.

shall be lawful for the Court or a Judge, if it or he shall so think fit, on proof of the service of such order, to make the same absolute; and such order shall entitle the creditor to all such remedies as he would have been entitled to if such charge had been made in his favor by the debtor. Provided that such Court or a Judge shall, on the application of such debtor, or any person interested, have full power to discharge or vary such order, and to award such costs upon such application as the Court or a Judge may think fit.

IX. If such debtor shall have an estate or interest

Where interest of debtor is in property standing in name of any Officer of Court.

in any property which shall be standing in the name of the Accountant General of the Court, or of any other Officer of the Court, or in the dividends, interest, or annual produce thereof, it shall be lawful for the Court or a Judge to make such order as to such property, and the dividends, interest, and annual produce thereof, as it

or he might have made if the same had been standing in the name of a trustee for such judgment debtor.

X. A plaintiff or defendant arrested under any writ

Partly arrested, under a *capias ad satisfaciendum* entitled to discharge on payment or tender of the amount of levy to opposite party or his Attorney, or to Sheriff or Gaoler.

under such writ, of the amount directed to be levied by such writ.

XI. A written order under the hand of the Attorney

Written order of Attorney issuing *capias ad satisfaciendum* sufficient for the discharge of a party by Sheriff or Gaoler, unless the client shall give written notice to the contrary.

for whom such Attorney professes to act shall have given written notice to the contrary to such Sheriff, Gaoler, or person in whose custody the opposite party may be, but such discharge shall

Attorney not justified in giving order for discharge without the consent of his client.

charge without the consent of his client.

XII. A Sheriff shall not be liable in an action for escape, or other breach of duty

Sheriff not to be liable for escape, &c. beyond the amount of the loss really occasioned.

as if he had been sued in the form of an action on the case.

XIII. A writ of execution sued out after the commencement of this Act, if unexecuted, shall not remain in force for more than one year from the date of such writ, unless renewed in the manner hereinafter provided, but a writ of execution, whether sued out before or after the passing of this Act, may at any time before its expiration be renewed by the party issuing it, for one year from the date of such renewal, and so on from time to time during the continuance of the renewed writ, by being marked with the seal of the Court, and with a memorandum, signed or initialed by the Officer, of the date of the day, month, and year of such renewal, or by such party giving a written notice of renewal to the Sheriff signed by the party or his Attorney, and bearing the like seal of the Court, and memorandum signed or initialed by the Officer as aforesaid; and a writ of execution so renewed shall have effect and be entitled to the same priority as the original writ would have had. Provided, however, that no writ of *habere* shall be renewed without the special leave of the Court or a Judge.

Writ of execution, if unexecuted, not to remain in force more than one year, unless renewed.

But may be renewed from time to time.

Renewed writ entitled to same priority as its original.

Proviso as to writ of *habere*.

XIV. The production of a writ of execution or of the notice renewing the same, purporting to be marked with such seal and initialed as aforesaid, showing the same to have been renewed according to this Act, shall be sufficient evidence of its having been so renewed.

Production of writ, or of notice of renewal, sufficient evidence of renewal.

XV. All property of every kind that may be seized

All property seizable under a *feri facias* may be seized under a writ of sequestration.

under a writ of *feri facias*, issued from the said Supreme Courts respectively, may be seized also under a writ of sequestration issued

from the same, where a sequestration is a process of the Court, and the seizure must in all cases be made in the mode directed by this Act as to seizures under writs of *feri facias*; and where a sale is ordered, it shall apply only to those seizable things which may be sold, and shall not authorize the sale of any property which is prohibited to be sold by this Act.

XVI. No writ of execution or sequestration, which shall issue out of any of Her Majesty's said Supreme Courts, shall bind the property as against any purchaser for value *bona fide* without notice, or as against any mortgagee or pledgee, or other person having a lien, legal or equitable, as against the execution debtor, by advancing on the goods or property *bona fide* without notice, or as against the process of any other Court, except from the time of its actual execution by seizure, according to the nature of the property.

Writs of execution or sequestration not to bind property as against *bona fide* purchasers for value without notice, &c.

Nor as against process of other Courts.

Except from time of actual execution by seizure.

any mortgagee or pledgee, or other person having a lien, legal or equitable, as against the execution debtor, by advancing on the goods or property *bona fide* without notice, or as against the process of any other Court, except from the time of its actual execution by seizure,

W. MORGAN,
Clerk of the Council.

Legislative Council.

19th August 1854.

The following Bill was read a second time in the Legislative Council on the 19th of August 1854, and referred to a Select Committee, who are to report thereon after the 23rd of November next:—

A Bill for regulating the Construction and Management of Electric Telegraphs in India.

Whereas it is expedient that provision should be made for regulating the construction and management of lines of Electric Telegraph in India, it is enacted as follows:—

Preamble.

I. Within the territories under the government of the East India Company the said East India Company shall have the exclusive privilege of constructing Electric Telegraphs. Provided that the Governor General of India in Council shall have the power to grant a conditional license to any other party to construct or establish a line of Electric Telegraph within any part of such territories, and to transmit messages thereby, subject to revocation of the license in the event of the non-fulfilment by the holder thereof of any of the conditions therein stipulated.

II. Every person who shall, otherwise than under a license duly granted as aforesaid, or under the special authority of Government, construct, or transmit signals along a line of Electric Telegraph within the territories of the Government of the East India Company, shall forfeit a sum not exceeding five hundred rupees, and every person who shall perform any services incidental to the transmission of signals along such a Telegraph Line shall forfeit a sum not exceeding one hundred rupees, and for every week during which such incidental services shall continue to be performed shall forfeit a further sum not exceeding one hundred rupees.

III. The Governor General of India in Council, on

Government may take possession of every Telegraph established under license.

the occurrence of any public emergency, is hereby authorised to take temporary possession of any or every Telegraph within the territories under the government of the East India Company.

IV. It shall be lawful for the Governor General in Council to frame rules for the conduct of the Electric Telegraph, not inconsistent with this Act, and therein to prescribe the regulations, conditions, and restrictions according to which all messages and signals shall be transmitted.

V. The Government shall not be responsible for any loss or damage which may occur in consequence of failing to transmit with accuracy any message entrusted to any person in charge of any Office of the Electric Telegraph for transmission, and no person employed by the Government in the Electric Telegraph Department shall be responsible for any such loss or damage, unless that person shall cause such loss or damage either through his culpable neglect, fraud, or malice.

VI. Every person who shall intrude into a Telegraph Office without the permission of the person in charge of the Office, or shall wilfully obstruct or impede any signaller or other official in the performance of his duty, shall be liable, on conviction before a Magistrate, to fine not exceeding one hundred rupees.

VII. Every person who shall cause, or attempt to cause, any interruption to the transmission of signals along the line, by wilfully cutting or injuring the wire or line, or any portion thereof, or by wilfully injuring any instrument or apparatus, shall be liable to imprisonment, with or without labour, for a term not exceeding two years, or to fine, or to both fine and imprisonment.

VIII. Whoever, being in the employ of the Government in the Electric Telegraph Department, shall fraudulently or maliciously secrete, make away with, or omit to transmit any message which may have been entrusted to him for transmission, shall be liable to be imprisoned, with or without hard labour, for a term not exceeding two years, or to fine, or to both.

IX. Every person employed to make signals along the line who shall fraudulently or maliciously retain, or wilfully impede the transmission of a message along the line, or, being required by any Officer of the Electric Telegraph Department to transmit a message, shall neglect or refuse to make the requisite signals, shall be liable to imprisonment, with or without hard labour, for a term not exceeding two years, or to fine, or to both.

X. Every person employed to convey or deliver any message sent by Electric Telegraph, who shall be guilty while so employed of any act of drunkenness, carelessness, or other misconduct, whereby the safety of any such message shall be endangered, or who shall loiter or make delay in the conveyance or delivery of any such message, or who shall not use proper care and diligence safely to convey any such message, shall be liable to a fine not exceeding one hundred rupees.

XI. Whoever, being in the employ of the Government in the Electric Telegraph Department, and being entrusted to receive money for the transmission or conveyance of messages or any other public purpose,

shall fraudulently appropriate the same, shall be punished, on conviction before a Magistrate, with imprisonment, with or without hard labour, for a term not exceeding two years, and shall also be liable to fine.

XII. Whoever, being in such employ as is described in Section XI., shall fraudulently alter any message, shall be liable to imprisonment, with or without hard labour, for a term not exceeding two years, or to fine, or to both.

XIII. Whoever, being in such employ as is described in Section XI., and being entrusted with the preparing or keeping of any document, shall, with a fraudulent intention, prepare that document incorrectly, or alter that document, or secrete or destroy that document, shall be liable to imprisonment, with or without hard labour, for a term not exceeding two years, or to fine, or to both.

XIV. Whoever, being in such employ as is described in Section XI., shall send by the Electric Telegraph any message upon which the charge prescribed in the rules and regulations of the Department has not been paid, intending thereby to defraud the Government of the charge on such message, shall be punished, on conviction before a Magistrate, with a fine not exceeding one hundred rupees.

XV. Any person, whether a European British subject or not, who shall be guilty of any offence for which, according to the provisions of this Act, he shall be liable to fine only, shall be punishable for such offence by any Justice of the Peace for any of the Presidency towns of Calcutta, Madras, and Bombay, Magistrate, Joint Magistrate, or person lawfully exercising the powers of Magistrate; and any person hereby made punishable by a Justice of the Peace shall be punishable upon summary conviction.

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

XVII. All fines incurred under the provisions of this Act by any person, except in respect of offences punishable by fine in addition to imprisonment, shall, upon conviction of the offender before any Magistrate, be levied, together with the costs attending the prosecution and conviction, by distress and sale of the goods and chattels of the party or parties offending, by warrant under the hand of such Magistrate, and if, upon the return of such warrant, it shall appear that no sufficient distress can be had thereon, then it shall be lawful for any Magistrate, by warrant under his hand and seal, to cause such offender or offenders to be committed to prison, there to be imprisoned, according to the discretion of such Magistrate, for any term not exceeding two calendar months where the amount of the fine shall not exceed fifty rupees, and for any term not exceeding four calendar months where the amount of the fine shall not exceed one hundred rupees, and for any term not exceeding six calendar months in any other case, the commitment to be determinable in each of the cases aforesaid upon payment of the amount of the fine and of the costs attending the prosecution and conviction.

X. If any Servant of the East India Company, who shall be employed by the said Company in the Electric Telegraph Department, shall be posted within the dominions of any Foreign Prince or State in alliance with the said Company, in which an Electric Telegraph shall be established by the said Company, shall, within the dominions of such Prince or State, commit any act hereby prohibited, or omit to do any act hereby required to be done by any person similarly employed, appointed, or entrusted as aforesaid within the territories under the government of the said Company, such Servant of the said Company shall be guilty of an offence, and on conviction thereof shall be punished in the same manner as if such act had been done or omitted within the said last-mentioned territories, and every such person may be convicted and punished, either by fine or otherwise, according to the nature of the offence, by any Magistrate or Court in any part of the said last-mentioned territories, in the same manner as if the offence had been committed in such part of the said territories.

XIX. The word "Magistrate" in this Act shall include Joint Magistrates and persons lawfully exercising the powers of Magistrates; and the word "fine" shall include a penalty or forfeiture.

W. MORGAN,
Clerk of the Council.

Public Order

To regulate the Religious PROCESSION of the MOHURRUM, and for the PRESERVATION of the PUBLIC PEACE during that Festival, sanctioned by the Right Honorable the Governor in Council, as provided for by Rule, Ordinance, and Regulation II. A. D. 1827.

1st. Every person desirous of erecting or carrying about a *Taboot*, *Punjia*, or *Dholeeka Punjia*, at the ensuing Mohurram, must obtain a license from a Magistrate of Police, at the Fort Police Office; such license will be granted to Mahomedans only, and all persons obtaining them are hereby required to produce them when demanded by any Magistrate or Officer of Police.

2nd. Each *Taboot* is to have but one set of "*Tassa*," one set of "*Dholee*," one "*Kurna*," and fifteen "*Hillals*."

3rd. Any person who may be seen carrying a sword, dirk, bludgeon, or other offensive weapon, will be taken into custody.

4th. No *Taboots* are allowed to go in procession on the last night of the Mohurram before 12 o'clock; or to continue so after 3 o'clock on the following morning, nor on the last day before 12 o'clock; and it is directed that they be thrown into the sea, and the ceremony concluded by 5 o'clock P. M.

5th. These Processions are limited to the Bhendy Bazar Road, Duncan Road, Erskine Road, Belisk Road, Chinch Bunder, and Market Streets. *Taboots* are not permitted to go abreast on the public road; and, on meeting, are to give way, each keeping to the left. On meeting carriages or horsemen, persons accompanying the *Taboots* are strictly enjoined to cease playing country music, the *Taboots* keeping the left side of the road.

6th. No Procession of the *Zool Junnah*, or Horse, through the public streets or roads will be permitted.

7th. All persons licensed to sell Spirituous Liquors, and all vendors of Opium and Bhang, are to keep their shops closed; and persons found selling anything of an intoxicating nature during the aforesaid period will be taken into custody.

8th. Water will not be allowed to be taken from the public Tanks and Wells, to be thrown before the Procession.

9th. Any persons violating any of the above Rules, or behaving in any manner likely to create a breach of the peace, or making a disturbance of any kind, will be immediately taken into custody, and dealt with according to law.

A. K. CORFIELD,
Senior Magistrate of Police.

N. OLIVER,
Magistrate of Police.

H. E. LEEKE,
Acting Magistrate of Police.

Bombay, Police Office, 11th September 1854.

અહેરનામું.

એવુજ શુંને ૧૮૨૭ ના પોલીશના બીજા કાએદા પરનાં તાબુતોના દાહાડાનાં તાબુતો બાહાર શરવા કાહાડે છે તે બાબત તથા લોકોને હુકમ કરત ન થાય એ બાબત બંદગાં અલી નવાબ મુશતેતા બહરત રાઇટ હુનરાબલ ગવરનર શાહે બાહાદુર દર ઇન્જામ કોશલે મુકરર કરીને હુકમ કરનાવીએ છે *

૧ આવતા મોહોરમના દીવસનાં તાબુતો અથવા પંખ અથવા કુલીના પંખ બનાવી વાની અથવા બાહાર શરવાની જોએની મુશી હશે તેઓએ કોટનાં પોલીશ કચેરીમાં પોલીશના માલમતરેટ શાહેબની પાસેથી પરવાના લેવા નહીંએ—એવા પરવાના મુશલનાંને જ માતર આવવાનાં આવશે તથા જ લોકો પરવાના લેશે તેઓએ કોઈએ માલમતરેટ અથવા પોલીશના અંમલદારે તે જાવાનાંજો એરલે તેઓને દેખાડવા નહીંએ *

૨ હરેક તાબુતની સાથે તામાની નાડ ૧ તથા હાલીની નાડ ૧ તથા કરનો ૧ તથા હીલાલ ૧૫ આ શીવાએ વધારે નહીંએ નહીં *

૩ જ માંણમે તલવાર અથવા ખંજર અથવા મોટા અથવા બીજા કોઈ હથિયાર લઈ નતાં નજરે પડશે તેઓને પકડીને પોરાનાં રાખશે *

૪ કતલની રાતરે પાર વાગતાની અગાઉ અથવા પરાંદોઆનાં તરણ કલાક પછી અથવા છલે દીવસે પાર કલાકની અગાઉ તાબુતો કરવા નવા દેશે નહીં અને સંધીઆકાલે પાંચ વાગતાંસંધી તાબુતો દરીઆનાં કુવાવીને કીરીઆ પુરી કરવી એવા હુકમ છે *

૫ તાબુતો શરવા નીકલશે તેઓએ ભો

डीयनर तथा डॅकनरोड तथा आरशकीन रोड तथा आंबेदीशकरोड तथा भीमपूर दर तथा मारकीट अटला रशताथी मातर शरवणा—भाडोरा रशताथीपर अकअक नी शथे तापुतोअ मालपु नडी अने शां माशांनी आवाथी डरअक तापुते पोतानी डाथी पाणु पकडीने अकमेकने रशतो कर वा—गाडी अथवा घोडा शवार नवे तो तापु तोनी शथे न दोडो डरे तेअने शकत ड डंन छे डं तेले पाछनतर थंध करीने रश तानी डाथी पाणुथी तापुतो लथे नवा *

६ गुलननां अटले घोडानी शवारी ने भाडोरा रशता थिपरथी अथवा नर वशतीना रशताथी शरवणा देणे नडी *

७ धर वयवाना परा न दोडोने नवे ला छे तेअने तथा अक्षीण तथा लांग वे मनाराअने पोतानी डुकोने थंध राभवी तथा कक्षी नण्णे न कोड शरडु मुदतनां वयनां पकडाथे तेअने पोरानां राभये *

८ तापुतो नांभवाने नणे तारे तेअनी शाने नांभवाशर शरकारी तलावेनांथी अथवा कुवाअनांथी पाणी देवा देणे नडी *

९ शरडु डुडंन न कोड तोडथे अथवा दोडोने डोला डरकत थाअे अडेपु कोड कर शथे अथवा कोड अे तरेथी क्षीशाड कर शे तो तेअने तरत केड करीने काअेदा परनांथे शन कर शे *

शुडी.

अ. डे. कारकीड,

पोलीशने शीनीअर नाथशतरेड.

अन. ओलीवर,

पोलीशने मथशतरेड.

अय. डे. लीक,

पोलीशने आकटींग नाथशतरेड.

तारो म ११ नी भाडे शपटंनपर
शने १८५४ छंशवी मुकान मुंयछं
पोलीश कचेरी.

VENAYEK WASSOODEW,

Oriental Translator to Govt.

जाहिरनामा.

ऐसाजे सन १८२७ चे पोलीसचे दुसरे कायद्या प्रमाणें ताबुताचे दिवसांत ताबूत बाहेर फिरावयास काढितात त्याविशीं व लोकांस हला हरकत न व्हावी याविशीं वंदिगान अली नवाब मुस्तताब हजरत रैट आनराबल गवरनर साहेब बाहादूर दर इजलास कौलस यांणी मुकरर करून हुकूम फर्माविला आहे.

१. येते मोहरमचे दिवसांत ताबूत अथवा पंज्या अथवा दुल्याचा पंज्या बांधावयाची अथवा मिरवीत नेण्याची ज्याची खुषी असेल त्याणें कोटातील पोलीस कचेरीतील पोलीसचे म्याजिस्ट्रेट साहेब यांजपासून परवाना घेतला पाहिजे—असा परवाना मुसलमानास मात्र दिव्हा जाईल व जे लोक परवाने घेतील त्याणी कोणताही म्याजिस्ट्रेट अथवा पोलीसचा अमल-

दार याणे ते पाहावयास मागितले असतां त्यास दाखविले पाहिजेत.

२. हरएक ताबुताबरोबर ताशाचा जोड एक व दोलीचा जोड एक व कर्णी एक व हिलाल १५ पंधरा यापेक्षां ज्यास्ती असूं नये.

३. जो मनुष्य तलवार अथवा खंजीर अथवा सोटा अथवा दुसरें काहीं हत्यार घेऊन जाताना दृष्टीस पडेल त्यास धरून पाहान्यांत ठेवितील.

४. कतलचे रात्रीस बारा कलाकापूर्वी व पाहाटेचे तीन कलाकानंतर अथवा शेवटले दिवशीं बारा कलाकापूर्वी ताबूत मिरवायास जाऊं देणार नाहीत आणि संध्याकाळचे पांच कलाकापर्यंत ताबूत दर्यांत बुडवून मोकळे व्हावें असा हुकूम आहे.

५. ताबूत मिरवावयास निघतील त्याणी भेंडीवाजार व डंकनरोड व अरस्कीनरोड व ओवेलीस्कोड व चीचवंदर व मारकीट इतक्या रस्त्यानी मात्र मिरवावे—मोठे रस्त्यावर एकेकाचे बराबर ताबूतांनी चालूं नये आणि समोरासमोर आल्यावर हरएक ताबूताने आपली डावी बाजू धरून एकमेकास रस्ता करावा गाड्या अथवा घोडेस्वार भेटले असतां ताबुताबरोबर जे लोक असतील त्यांस सख्त हुकूम की—त्याणी वार्यें वंद करून आपले ताबूत रस्त्याचे डावे बाजूस न्यावे.

६. झुलजना म्हणजे घोड्याची स्वारी मोठ्या रस्त्यावरून किंवा भररस्त्यातून मिरवूं देणार नाही.

७. दारू विकण्याचे पट्टे ज्यांस मिळाले आहेत त्याणी व अफ व भांग विकणारे याणी आपली दुकानें वंद ठेवावीं व कैफी जिनख जो कोणी सदहू मुदतींत विकतानां सांपडेल त्यास पाहान्यांत ठेवितील.

८. ताबूत जातील तेव्हां त्याच्या समोर टाकण्याकरितां सरकारी तळ्यांतून अथवा विहिरींतून पाणी घेऊं देणार नाही.

९. सदहू हुकूम जो कोणी मोडील किंवा लोकांस हला हरकत होईल अशी वतणूक कोणी करील किंवा कोणतही तऱ्हेचा फिसाद करील तर त्यास तेच क्षणी कैद करून कायद्याप्रमाणें सजा करतील.

सही.

ए. के. कारफील्ड,

पोलीसचे सिनीयर म्याजिस्ट्रेट.

एन. आलिवर,

पोलीसचे म्याजिस्ट्रेट.

एच. ड. लीक,

पोलीसचे आकटिंग म्याजिस्ट्रेट.

तारीख ११ माहे सेप्टेंबर सन १८५४ इसवी

मुकाम मुंबई पोलीस कचेरी.

VENAYEK WASSOODEW,

Oriental Translator to Govt.

إشهارنامه

احكام برای برآوردن تابوت ها و امنیت خلق در ایام عاشورا
موافق قاعدۀ دویم قانون سنۀ ۱۲۷۵ عیسویہ سرکار جلالت
مدار نواب مستطاب معلی القاب گورنر صاحب بهادر در اجلاس
کونسل معین و مقرر نموده است

اول آنکه هرکسی که درین ماه محرم خوابد که بنای
تابوت یا پنجه یا پنجه دولا بگذارد یا در شوارع بگذراند باید که
از ماجستریٹ پولیس قلعه پروانه بگیرد و آن پروانه فقط

مسلمانان دادہ خواہد شد وبہمہ کسانیکہ آن پروانجات دادہ شوند لازم است کہ بر طلب ہرماجستریت یا عملدار پولیس آنہارا بنمایند فقط

دویم آنکہ ہر تابوت یکدست تاشا و یکدست ڈھولی و یکدست کرنا و پانزدہ عدد مشعل ہلا، زند زیادہ ازین ندارند فقط

سوم آنکہ در دست ہر کسی کہ شمشیر یا خنجر یا سونٹہ و ہر قسم اسلحہ کاری باشد اورا گرفتار کردہ در پھرہ نگاہ خواہند داشت فقط

چہارم آنکہ بشب دہم ماہ محرم قبل از ساعت دوازدہ ۱۲ و بعد از ساعت سہ تا تابوت را بیچ نگرنداند و بروز عاشورا یعنی دہم بعد از ساعت دوازدہ ۱۲ بگرداند و حکم است کہ بعد وقت عصر یعنی بساعت پنج تابوت ہارا در آب انداختہ از جمیع شرایط آن فارغ شوند فقط

پنجم آنکہ تابوت ہارا فقط در بہندی بازار و دکن روعہ وارسکن روعہ و اوہلسک روعہ و چنچ بندر و در محلہای مارکیت بگرداند و باید کہ بیچ تابوت بشارع عام نزدیک و بہ پہلوئی یکدیگر نروند و بر مقابل شدن باید کہ ہر یک بطریق آسودگی و اصلاح بدست چپ بروند و در وقت باہم مقابل شدن گاڑی و سوارہ و مردمانیکہ ہمراہ تابوت میروند آنہارا مکرر تاکید دادہ میشود کہ سرود خود را موقوف کنایندہ تابوت ہارا بدست چپ شارع داشتہ بروند فقط

ششم آنکہ گردانیدن ذوالچنچ در شوارع عام یا راستہ ہای وسیع نخواہند گذشت فقط

ہفتم آنکہ مردمانیکہ حکم شراب فروختن دارند وکسانیکہ اجازت فروختن افیون وبنگ میدارند براوشان حکم است کہ دوکانہای خود را بند نمایند و ہر کسی کہ در مدت مذکورہ اشیای مسکروہ بفروشد اورا سرکار گرفتار خواہد نمود فقط

ہشتم آنکہ بجہت پاشیدن پیش روے تابوت ہا گرفتن آب از تالاب ہا وچاہ ہائیکہ بکار عامہ خلایق می آید کسی را نخواہند گذشت فقط

نہم آنکہ اگر احدی خلاف آئین مرقومہ الصدر رفتار نماید یا کاریکہ متضمن فتنہ و فساد بودہ باشد از ہر طریق بکند اورا گرفتار نمودہ بموجب قانون سزاخواہد داد فقط

(صحیح)

سینیر ماجستریٹ صاحب پولیس

” ان اولیور

ماجستریٹ صاحب پولیس

” ایچ ٹی لیک

اکڈنگ ماجستریٹ صاحب پولیس

پولیس آفس بمبئی

فی التاریخ ۱۱ سبتمبر سنہ ۱۸۵۴

VENAYEK WASSOODEW,
Oriental Translator to Govt.

ظاہر اعلیٰ

احکام واسطی کالئے تابوت اور امنیت خلق اللہ کے درمیان عاشورہ محرم کے موافق قاعدے دوسرے قانون سنہ ۱۸۲۷ عیسوی کے سرکار جلالت مدار نواب مستطاب معلی القاب گورنر صاحب بہادر دراجلاس کونسل نے مقرر فرمائے ہیں پہلا یہ کہ جو کوئی چاہے کہ محرم کے مہینے میں تابوت بناوے یا پنچہ یا پاچہ دولا رکھے یا عام رستے پر لیجاوے تو اسکو لازم ہی کہ قلعہ کی پولیس کے ماجستریٹ صاحب سے

حکم لیوے اور حکم فقط مسلمانوں کو دیا جائیگا اور جن شخصوں کو کہ پروانہ ملے انکو چاہے کہ جسوقت کوئی ماجستریٹ یا کوئی پولیس کا عملدار طلب کرے تو پروانہ اسکو دکھائنا فقط

دوسرا یہ کہ ہر یک تابوت کے ساتھ ایک تاشا اور ایک ڈھولی اور ایک نفری اور پندرہ ہلال کی مشعل کے سوا زیادہ نرکھیں فقط

تیسرا یہ کہ جس شخص کے ہاتھ میں تلوار یا خنجر یا سونٹہ یا کسی قسم کا ہتیار کاری ہوگا تو اسکو گرفتار کرے پھرے میں رکھینگے فقط

چوتھا یہ کہ عاشورے کی رات کو بارہ بجے کے آگے اور تین بجے کے پیچھے کوئی تابوت نہ پھراوے اور عاشورے کے دن بارہ بجے کے پیچھے پھراوے اور حکم ہی کہ عصر کے بعد یعنی پانچ بجے تابوت کو پانی میں ڈالکر سب شرایط سے فارغ ہووین فقط پانچواں یہ کہ تابوتوں کو فقط بہندی بازار اور دکن روعہ اور ارسکن روعہ اور اوہلسک روعہ اور چنچ بندر اور مارکیت کے محلوں میں پھراوے اور چاہے کہ عام رستے پر کوئی تابوت دوسرے تابوت سے بہتر نہ چلے اور اگر کوئی تابوت سامنے آجاوے تو چاہے کہ صلاح اور سلوک سے ہر یک بانہیں ہاتھ پر چلے جانا اور اگر کوئی گاڑی یا سوار سامنے نکل آوے توجو آدمی کہ تابوت کے ساتھ ہیں انکو تاکید ظاہر کیا جاتا ہی کہ آسوت اپنا باجا بندکر کر تابوت کو بانہیں بازو پر لینا فقط چھٹا یہ کہ ذوالچنچ یعنی دلدل کو ترے یا عام رستے پر پھرنے نہ دیا جائیگا فقط

ساتواں یہ کہ جن شخصوں کو کہ شراب بیچنے کی پروانگی ہی اور جو کہ افیون اور بھنگ بیچنے کی اجازت رکھتے ہیں انکو حکم ہی کہ اپنی دکانیں بند رکھیں اور جو کوئی کہ مدت مذکور میں کوئی بھی نشہ کی چیز بیچےگا تو اسے سرکار گرفتار کریگی فقط

آٹھواں یہ کہ تابوت کے آگے چتر کا کرنے کے واسطے تالابوں اور آن کٹوں کا کہ چنکا پانی سب آدمیوں کے کام میں آتا ہی پانی لینے نہ دیا جائیگا فقط

نواں یہ کہ اگر کوئی شخص اوپر لکھے ہوئے قاعدوں کے برخلاف کریگا یا کسی طرح کا فساد اٹھائیگا تو اسکو گرفتار کرے قاعدے کے موافق سزادی جائیگی فقط

(صحیح)

اے کے کارنیلڈ

سینیر ماجستریٹ صاحب پولیس

” ان اولیور

ماجستریٹ صاحب پولیس

” ایچ ٹی لیک

اکڈنگ ماجستریٹ صاحب پولیس

پولیس آفس بمبئی

بتاریخ ۱۱ سبتمبر سنہ ۱۸۵۴

VENAYEK WASSOODEW,
Oriental Translator to Govt.

Notice

Is hereby given, that verbal offers will be received at this Office, and sealed tenders at the Commissary General's Office in Bombay, at 12 o'clock on Tuesday the 10th October 1854, for the exclusive privilege of SELLING ARRACK, COUNTRY LIQUOR, and INTOXICATING DRUGS in this Cantonment, and also for the sale of

Arrack and Country Liquor in the State of Kolapoor, commencing from 1st November 1854, to 31st October 1855.

2. The Troops composing the Kolapoor Cantonment are as follows, viz :—

	Strength.
One Regiment of Native Infantry...	739
One Company of Golundanze.....	231
Inhabitants of Camp Bazar	741

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

4. The bidding offers to be in Company's Rupees, and no person will be allowed to offer for the contract unless he previously deposits in this Office the sum of Company's Rupees 2,000 (two thousand) in cash, which will be forfeited in the event of delay, evasion, or refusal to execute the necessary deeds of contract, should the offer be accepted, in which case he must be prepared to add thereto such amount as shall complete a monthly rent, to be deposited in the Police Office until the expiration of the contract.

5. Each bidder, or person tendering, will be required to produce a certificate from two individuals of unexceptionable character, that they will stand security for him in the event of his offer or tender being accepted.

6. The terms of the contract will be made known at the time of sale, or before, on application at this Office between the hours of 10 and 4 o'clock daily (Sundays excepted), and no verbal offers will be received after 12 o'clock on the day of sale, and the parties offering, or their agents, must be present at the time specified.

7. As it is not incumbent on the sanctioning Authorities to accept of the highest bid, it is to be understood that the deposits lodged to qualify a person to bid for the contract will not be returned until the biddings have been duly submitted to the Authorities for sanction, and a reply received.

8. To prevent disputes hereafter, it is to be distinctly understood that the provisions of the contract are to be strictly enforced, agreeably to the 3rd paragraph of the Commissary General's letter to the Military Board, dated 30th July 1850.

9. The contractor will have to defray the expenses of maintaining a Preventive Police, when and wherever the Officer Commanding may deem necessary, for the suppression of clandestine sale of Spirits to European Troops.

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

HENRY MACLEAN, Lieut.,
Superintendent of Bazars and Police.

Police Office, Kolapoor, 31st August 1854.

Notification.

It is hereby notified for general information, that under instructions from the Most Noble the Governor General in Council to the Resident at Hyderabad, dated 25th July 1854, all FRONTIER and CUSTOMS DUTIES in the ASSIGNED DISTRICTS have been ABOLISHED.

T. H. BULLOCK,

Deputy Commissioner, Northern Berar.

Booldanah, 31st August 1854.

जाहिरनामा

सर्वीस कळावयास लिहिला जातो जे निज्याम सरकाराने इंग्रज सरकारचे सुपुर्द केल्या मुलुखांत तमाम सरहद व राह-दारीचा महसुल माफ करण्याबद्दल रसिडेंट साहेब हैदराबाद यांचे नांवें हुकूम तारीख २५ माहे जूलाय सन १८५४ चा मोस्ट नोबल गवरनर जनरल इन कौन्सिल यांचा आल्यावरून माफी झाली आहे.

तारीख ३१ माहे आगस्ट सन १८५४ इसवी

मुकाम बुरडाणे.

T. H. BULLOCK,

Deputy Commissioner, Northern Berar.

TERRITORIAL DEPARTMENT, REVENUE.

The following Notification by the Collector of Canara is published for general information :—

Teak Timber.

Notice is hereby given, that the undermentioned quantity of rejected Teak Timber, the property of Government, will be sold by public auction at the Ports of Sedashigur and Gungawalee, in the District of Canara. The sale to commence on the 16th October, and to be continued until the whole is sold, viz. 6,506 logs, computed to contain 6,392 candies.

Jungle Timber.

On the 20th of October will be sold by public auction two thousand trees of kinds, called Nanch or Benteak, and Jambé or Eerol, standing in the jungles on the banks of the Gungawalee River. The trees were girdled in 1852.

The rules under which the trees are to be felled and removed by the purchasers will be notified at the time of sale, or may be ascertained beforehand by application to the Collector of Canara, Mangalore, or Additional Sub-Collector of Canara, Honore. The sale will be held either at Sedashigur or Gungawalee, the place being notified previously to the sale.

Blackwood, &c.

On the 15th November will be sold by public auction, at the Port of Mangalore, the following Timber, viz :—

	Logs of Sizes.
Blackwood	711
Teakwood	6
Jackwood	37
Wild wood	46

800

(Signed) F. N. MALTY,

Collector of Canara.

Collector's Office, Mangalore,
7th August 1854.

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

H. E. GOLDSMID,

Offg. Secy. to Government.

Bombay Castle, 30th August 1854.

टेरिटोरियल डिपार्टमेंट.

रिविन्यू.

कनडा जिल्ह्याचे कलेक्टर साहेब याणी खाली लिहिलेला जाहिरनामा केला आहे तो सर्वस मालुम होण्याकरिता प्रसिद्ध केला असे.

सागवानी लांकडे.

जाहीरखबर दिल्ली जाते जे खाली लिहिलेली सागवानी रद्द केलेली सरकारी लांकडे कनडा जिल्ह्यातील सदासिवगड व गंगवली या बंदरांत जाहीर लेलांव करून विकतील तारीख १६ आक्टोबरचे रोजी लेलांव सुरू होईल आणि साहा हजार तीनशे व्याणव खंडीची एकंदर ६५०६ लांकडे आहेत ती सर्व विकत तोंपर्यंत लेलांव चालू राहिल.

जंगली लांकडे.

गंगवली नदीचे किनाऱ्यावरील जंगलांत नाने अथवा बे-नटिक आणि जांबे अथवा एरुळ जातीची दोन हजार झाडे आहेत ती तारीख २० आक्टोबरचे रोजी जाहीर लेलांव करून विकतील ही झाडे मुकण्याकरिता सन १८५२ चे साली त्यांस कंगोरे पाडले होते.

खरीददाराने झाडे कोणते रीतीने कापून त्यांची व्याविशींचे नियम लेलांवाचे वेळी जाहीर करतील किंवा लेलांवापूर्वी ते नियम समजण्याची इच्छा असल्यास कनडा जिल्ह्याचे कलेक्टर साहेब यांस मंगळुर येथे अर्ज करून विचारावे अथवा सदहू जिल्ह्याचे अडिशनल सब-कलेक्टर यांस होनावार येथे अर्ज करून विचारावे लेलांव सदासिवगड अथवा गंगवली येथे होईल परंतु जी जागा मुकरर होईल ती लेलांवापूर्वी कळवितील.

सिसवी लांकडे बीरे.

तारीख १५ नवेंबरचे रोजी खाली लिहिलेली लांकडे मंगळुरचे बंदरी जाहीर लेलांव करून विकली जातील त्याचा तपसील.

सिसवी लांकडे लाहान मोठी	७११
सागवानी लांकडे कित्ता	६
फणसी लांकडे कित्ता	३७
जंगली लांकडे कित्ता	४६

८००

सही.

एफ. एन. मालटगी,
कनडाचे कलेक्टर.

तारीख ७ आगस्ट सन १८५४ इसवी मु।।

मंगळुर कलेक्टरची कचेरी.

बमोजिबे हुकुम बंदीगान अलीनवाव मुस्तताव हजरत रेट अनराबल गवरनर साहेब बाहादूर दर इजलास कौंसल.

सही.

एच. ई. गोलडस्मीड,

आफिसियेटिंग चीफ सक्तरारी नि। सरकार.

तारीख ३० आगस्ट सन १८५४ इसवी मु।। मुंबई.

VENAYEK WASSOODEW,
Oriental Translator to Govt.

रेरीशरीआल डीपारटमेन्ट
रीपीनीओ.

कांनडा छलाना कलेक्टर शाहेये नीये लयेछु न्हुरेनांमु कडे छे ते शरवने मालंन थवा शांर परगट कडे छे.

शागवानी लांकडां.

न्हुरे मयर आपवानां आवे छे न नीये लयेछां शरकारी शागवानी रद करेलां लांकडां कांनडा छलाना शदशीवध तथा गंगवली पंदरेनां न्हुरे लीलांन करीने वेय्ये तारीम १६ नी अक्टोबरना दीवये लीलांन शर थाये ने इउलर मांडीनां अकंदर ६५०६ लांकडां छे ते शरवे वेय्ये तांहांमुधी लीलांन आधु रेह्ये.

नंगली लांकडां.

गंगवली नदीना कीनारा छपरना नंगल नांनाने अथवा बेनटीक तथा नंमये अथवा अइल नतनां २००० न्हाडां छे ते तारीम २० नी अक्टोबरने दीने न्हुरे लीलांन करीने वेय्ये आ न्हाडां शुक्ववाशांर शंने १८५२ नी शलनां तेने कंगोरा पाडा उता.

मरोददारे शो रीते न्हाडां कापीने लछे न्वां तेवीयेना ने अंन लीलांननी वमत न्हुरे करये अथवा अंनी अगाओ अं शमन वांनी छेछा छे तो कांनडा छलाना कलेक्टर शाहेयेने नंगलीरनां अरन करीने पुछु अथवा होनारनां शदरडु छलाना आडीशं नल शय्य कलेक्टर शाहेयेने अरन करीने पुछु लीलांन शदशीवध अथवा गंगवलीनां थाये पण न नंगा मुकरर थाये ते लीलांननी अगाओ न्हुरे करवानां आवये.

शीशनी लांकडां वीगरे.

तारीम १५ नी नवेंबरनां रोन्न नीये लयेछां लांकडां नंगलीरना पंदरेनां न्हुरे लीलांन करीने वेय्ये तेनी वीगत.

शीशनी लांकडां नांनां मोडारां.	७११
शागवानी लांकडां अंनं.	६
कृणशनां लांकडां अंनं.	३७
नंगली लांकडां अंनं.	४६

८००

शही.

अे. जे. मालटगी,
कांनडानो कलेक्टर.

तारीम ७ नी नाहे आगशर शंने

१८५४ छंशवी मुकांन कलेक्टरनी

क्येरी गंगलीर.

यमोनये डुकंन पंदगांन आलीनवाय मुशतेनाय छनरत राधेट आनरा यल गवरनर शाहेय पाडाडुर दर छंनलाय कोशल.

शही.

अे. छं. गालडशनीड,
आडीशीअरींग मीक शकरतारी
नीलं शरकार.

तारीम ३० नी नाहे आगशर शंने

१८५४ छंशवी मुकांन मुंयाछं.

VENAYEK WASSOODEW,
Oriental Translator to Govt.

Notice

Is hereby given, that verbal offers will be received at the Office of the Superintendent of Bazars at Ahmednuggur, and sealed tenders at the Office of the Commissary General, Bombay, at 12 o'clock (noon) on Friday the 6th of October 1854, for the contracts for the exclusive privilege of SELLING ARRACK and COUNTRY LIQUOR, and OPIUM to the Native Troops and Followers in the Cantonment of Ahmednuggur, and also to the Inhabitants of the town of Ahmednuggur, for a period of one year, from the 1st of November 1854 to the 31st of October 1855.

2. The contracts will be sold for the number of Troops present on the day of sale, and the amount to be paid by the contractor will not be increased or decreased as Troops arrive at or depart from the Station, unless the number of Native Troops present shall at any time during the existence of the contracts exceed or fall short of the number present on the day of sale by more than one-fourth part, in which case the payments to be made by the contractors will be increased or decreased to such extent as may be fixed by a Committee of Officers, to be appointed on behalf of Government.

3. The Troops now composing the Brigade are as follows:—

	Strength.
Head Quarters 1st Battalion Artillery.	
1st Company 2nd Battalion Artillery, attached to the 1st Battalion Artillery.	
Head Quarters 4th Battalion Artillery...	130
Gun Lascars and Drivers attached to the 1st and 4th Battalions Artillery	144
26th Regt. N. I.	840
Camp Inhabitants and Followers, about.	4,942

4. The above contracts will be sold separately, and the revenue derived from them apportioned as follows:—

One-half for the Native Troops and Inhabitants of the Cantonment.

One-half for the City of Ahmednuggur.

5. No person will be allowed to bid for the contracts who has not previously deposited with the Superintendent of Bazars the undermentioned sums, which will be forfeited in the event of there being any delay, evasion, or refusal to execute the necessary deed of contract by the party whose offer may be accepted:—

Deposit to be made by bidders for
the Liquor Contract Rs. 800
Ditto ditto Drug Contract .. „ 55

6. Each bidder or tenderer must state the sum which he is willing to pay monthly for the contracts, and the parties whose offers may be accepted will be required to deposit with the Superintendent of Bazars the amount of one month's stipulated payment as security for the due performance of the contracts, and they will also be required to make each monthly payment in advance, the first payment to be made on the 1st November 1854.

7. Each bidder or person tendering must produce a certificate, signed by two individuals of unexceptionable character, that they will stand security for him in the event of his offer being accepted.

8. The Distillery will be made over to the new contractor, at the valuation that may be fixed by a Committee of European Officers, should a

new contractor take the Liquor contract, and fail to agree with the present owner as to the terms of the transfer.

9. The Opium contractor will have the privilege of selling Ganjah and Bojah in the Cantonment.

10. Only one Shop will be allowed out of the precincts of the Sudder Bazar, which is to be situated opposite to the Police Chowkee, at the place called Mundacee.

11. The Liquor contractor will be obliged to bind himself to defray the expense of maintaining any Preventive Police which the Brigadier may consider necessary for preventing the clandestine sale of Spirits to the European Troops. At present three Peons are kept for this purpose, at the expense of the contractor.

12. The articles of agreement to be entered into may be seen, and all further particulars learnt, on application at the Office of the Superintendent of Bazars, any day between the hours of 10 A. M. and 4 P. M., Sundays excepted.

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

M. W. WILLOUGHBY, Lieut.,
Superintendent of Bazars.

Bazar Office, Ahmednuggur,
30th August 1854.

Notice.

All Officers to whom POSTAGE STAMPS are consigned by the Superintendent of Stamps in Bombay are requested to attend to the form of Receipt for the same, No. 3, published with the Rules regarding the custody, distribution, and sale of Postage Stamp Labels.

H. P. MALET,

Acting Superintendent of Stamps.

Bombay, General Stamp Office,
15th September 1854.

BANK OF BOMBAY.

DISCOUNT.

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

INTEREST.

On Fixed Loans on Government } 4 ditto.
Notes and Railway Shares.. }
On Open Loans on ditto..... 5 ditto.
On Cash Credit Accounts 5 ditto.
On Loans on Security of Goods.. 6 ditto.

Bills payable within one month are discounted under the above rate, and Discount at 3 per cent. under the rate charged will be refunded on all Bills paid before maturity, for the unexpired portion of the time such Bills may have to run.

The rate of advance on deposit of Government Notes is 90 per cent., on Railway Shares *three-fourths* the paid-up value of the Shares, and on Goods *three-fourths* the approved value.

Loans on Goods, &c.

Advances are granted on the security of Goods not of a perishable nature deposited in private Godowns situated either in the Fort, or in Grant Buildings, Colaba.

By Order of the Board of Directors,

J. STUART,

Secretary and Treasurer.

Bank of Bombay, 14th September 1854.

Advertisement.

Tenders are hereby invited for the CONVEYANCE of—

Two (2) Native Convicts to Singapor,
Eleven (11) Native Convicts to Penang; and of
Forty-six (46) Native Convicts, and Nine (9)
Time-expired Convicts, to Malacca.

By Order of the Commander in Chief Indian Navy,
F. G. BONE, Secretary.

Commodore's Office, Bombay,
19th September 1854.

Notice.

Tenders will be received at the Office of the Commander in Chief Indian Navy from persons willing to supply SHIP TONNAGE for the CONVEYANCE from Mangalore to Calcutta of about (150) one hundred and fifty tons of Loose Coir, be the same more or less.

The Tenders must specify the rate per ton of

four candies, or (2,240) two thousand two hundred and forty pounds, and the time when the Vessel will be at Mangalore to receive the Coir.

The Coir will be placed on board in Bundles, which must be preserved entire, and be delivered at Calcutta in like good order, according to weight.

The Master of the Vessel, or authorised Agent for the Owner at Mangalore, will be required to see the Coir weighed, and the Bundles counted, and to sign the Bill of Lading, or such other document connected with the lading of this article as the Principal Collector of Mangalore may require of him.

The Freight will be paid in Calcutta on the completion of the delivery of the Coir, in conformity with the terms of the Bill of Lading.

The Commander in Chief reserves to himself the right of rejecting any Tender, without assigning cause for so doing.

By Order of the Commander in Chief Indian Navy,
F. G. BONE, Secretary.

Commodore's Office, Bombay,
19th September 1854.

Insolvent Debtors' Court.

Notice is hereby given, that the 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:—

Names.	Profession.	Denomination.	Place of Residence in Bombay.	Dates of Petitions filed.		
				Day.	Month.	Year.
Gunput Bappoojee ..	A Clerk in the Custom House.	Hindoo.....	Without the Fort, near Lowarchawl.	11th	Sept.	1854.
Ahmed Chotoo	A Milkman	Mahomedan..	Lately without the Fort, in Rungaree Molla (at present in the Bombay Gaol).	13th	"	"
Nurseydass Goculdass.	Living on his Property	Hindoo.....	Lately without the Fort, in New Nagpada (at present in the Bombay Gaol).	16th	"	"

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 the Petitions of the undermentioned Insolvents.

Names.	Time.		
	Day.	Month.	Hour.
Ahmed Chotoo	1st Monday	October next.....	11 o'clock.
Nurseydass Goculdass	Ditto	Ditto	Ditto.
Cursondass Jairam	3rd Monday.....	Ditto	Ditto.
Memon Motty Abba and Memon Hassum Arbaney	Ditto	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.

Dividend payable in the undermentioned Estate.

John Vincent Lobo, 1st Monday in October next, of 6 per cent., in the 1st and 2nd Insolvency.

W. BROOKFIELD,

Acting Clerk of the Court.

Clerk of the Court's Office, Fort, Bombay, this 19th day of September 1854.

નાદાર દેવાદારોની કોરટ મધે.

જાહેર ખચર એ ઊપરથી આપવાનાં આવે છે, જે વીગત થાયે હેની એકલ જે ભુદી ભુદી આશાની એના નામો લખેલાં છે, તેઓએ મુંબઈની નાદાર દેણદારોનાં છુટકા કરનારી કોરટને અરજીઓ આપી છે, તેનાં એકએકની અરજી એવી છે જે વીકટોરીઆના અગીઆરમે વરસે જે ધારો કરીને ઠરાવે છે, તેના એકવીશનાં બાબતોનાં ઇલાજ હોમોને મલે.

નામ.	ધંધો.	ખત.	રહેવાનું દેકાણું મુંબઈ મધે.	અરજીઓ દાખલ થયેલી તારીખ.		
				દાહાડો.	માસ.	વરસ.
ભણપત બાપુજી . . .	નાંડવી મધે લખનારો	હોંડુ	કોરબાહાર લુખર ચાલી આગલ.	૧૧ મો.	મૅપ્ટેમ્બર	૧૮૫૪.
અહમદ છાહુ	ગવલી	મુશલનાં ન.	થોડા દાહાડા ઊપર કોરબાહાર રંગારી મોહોલા મધે ને હાલ મુંબઈની તુરંગમો.	૧૩ મો.	એન	એન
મરશદાશ ગોકલદાશ	તે પોતાની મીલકતનાંથી ગુજરાન ચલાવે છે.	હોંડુ.	થોડા દાહાડા ઊપર કોરબાહાર નવા નાગપાડા ઊપર ને હાલ મુંબઈની તુરંગમો.	૧૬ મો.	એન	એન

ઊપર લખેલા નાદાર દેવાદારોની અરજીઓની બાબતમાં ધટતી રીતે હુકમ થયા છે, જે ઊપર લખેલા તારાની શાતમી કલમ પરનાં જે નાદાર દેવાદાર મજકુરોની થાવર તથા નંગમ મીલકત તથા મોજ શત આ નામદાર કોરટનાં આફીશીઆલ આશાએનીના તાબાનાં આપે *

નીચે લખેલા નાદાર દેવાદારોની અરજીઓ શાંભલવાશર ઠરાવેલા દાહાડા *

નામ.	વખત.		
	દાહાડો.	માસ.	કલાક.
અહમદ છાહુ	૧ લો શામવાર.	આવતો અક્ટોબર.	૧૧
નરશીદાશ ગોકલદાશ	એન	એન	એન
કશનદાશ નેએરામ	૩ લો શામવાર.	એન	એન
મેહુમેણ મોતી અબ્બા તથા મેમેણ હાશમ અરબાણી	એન	એન	એન

આડા આપનાર લેણદારોએ, થોડાનાં થોડા શાંભલવાના તણ દાહાડા અગાઉ, શેગણનાં માથી શાખી કરેલા પોતાના દવા હમારી આફીશીઆલ દાખલ કરવા નોંધે, તથા શીરશતા પરનાં જે તેઓને આવી નોંધે. ઊપર લખેલા નાદાર દેવાદારોએ પોતાનાં દેવાની, તથા માલ મીલકતની, ટીપો હમા આફીશીઆલ દાખલ કરાવી છે *

નીચે લખેલા ઇશ્ટેટનાં ફાલા આપવાને ઠરાવીયા છે તેહેની વીગત *

નામ.	વખત.		શેકડે રકા.
	દાહાડો.	માસ.	
ખાન વીનશેટ લોબો	૧ લો શામવાર.	આવતો અક્ટોબર.	૨૬૬ પેલી નીજ નાદારો મધે.

૧. બુરકફીલડ,
કોરટના આક્ટોગ કલારક મહી.

શી મુંબઈના કોરટ મધે, કોરટના કલારકની આફીશીઆલ,
જામી તારીખ ૧૮ મી મૅપ્ટેમ્બર મધે ૧૮૫૪.

Notice.

Verbal tenders will be received at this Office, on Friday the 22nd instant, from parties willing to SUPPLY by contract the following ARTICLES:—

STONE.

ft.	ft.	ft.	
3	× 1½	× 1½	41 in number.
2½	× 1	× 1	80 ditto.
1	× 1½	× 1½	270 ditto.
2	× 1½	× 1½	1,794 ditto.
1½	× 1	× 1	3,440 ditto.
2½	× 1½	× 1	278 ditto.
1½	× 1	× 1	200 ditto.
1½	× 1	× 1	280 ditto.
1	× 1	× 1	2,040 ditto.
1	× 1	× 1	1,600 ditto.
1½	× 1	× 1	64 ditto.
1½	× 1½	× 1	8 ditto.
1½	× 1½	× 1	270 ditto.
2	× 1½	× 1	66 ditto.
3	× 1½	× 1	226 ditto.
2,288 square feet Khandkee.			
200 Brass of Rubble Stone.			

A deposit of 10 per cent. will be required immediately from the lowest bidder, to be forfeited in case of any evasion or delay in signing the deed of contract.

F. WEMYSS, Captain,
Engineer to the Dockyard.

Bombay,
Dockyard Engineer's Office,
18th September 1854.

ખાદેરનાં મુ.

એકેવુ નીચે લેખેલા શાંનાં ઇંબરાથી પુરો પાડવાની ને લોકોની પુચી હશે તેઓના મુખનાં અરજી આલતા મહીનાની તારીખ ૨૨ મી શુકરવાર ને દીને ગોદીના ઇંબની અરજી કચેરીનાં શાંભલી લેશે.

પથર.

ફુટ.	ફુટ.	ફુટ.	
૩	× ૧૧	× ૧૧	એપરનાં મુ. ૪૧
૨૧૧	× ૧	× ૧	એન્ન. ૮૦
૧	× ૧૧૧	× ૧	એન્ન. ૨૭૦
૨	× ૧૧૧	× ૧	એન્ન. ૧૭૮૪
૧૧	× ૧	× ૧	એન્ન. ૩૪૪૦
૨૧૧	× ૧૧૧	× ૧	એન્ન. ૨૭૮
૧૧	× ૧	× ૧	એન્ન. ૨૦૦
૧૧૧	× ૧	× ૧	એન્ન. ૨૮૦
૨૧	× ૧૧	× ૧	એન્ન. ૨૦૪૦
૧	× ૧	× ૧	એન્ન. ૧૬૦૦
૧૧૧	× ૧	× ૧	એન્ન. ૬૪
૧૧	× ૧૧	× ૧	એન્ન. ૮
૧૧૧	× ૧૧૧	× ૧	એન્ન. ૨૭૦
૨	× ૧૧૧	× ૧	એન્ન. ૬૬
૩	× ૧૧	× ૧	એન્ન. ૨૬૬
૨૨૮૮ ચોરસ ફુટ ખાંડકી.			
૨૦૦ બરાસ ડબર.			

ન શરવથી કમી આંકડો બોલશે તેણે દર શુકરે ૨૮૧ ૧૦ પરનાં એવેન તરત આંકડો નત રાખવો ને ઇંબે તે એવેન ઇંબરાના કાગલ ઇપર મહી કરવા આંકડોની અથવા ઠીલ કરેથી શરકાર દાખલ થાશે.

મહી.

એ. જી. વેમીસ, કપતાન,

ગોદીના ઇંબની અર.

તારીખ ૧૮ મી માટે શપરે મુખર શંને ૧૮૫૪ ઇંબની મુકામ મુખરે ગોદીના ઇંબની અરની કચેરી.

VENAYEK WASSOODEW,
Oriental Translator to Govt.

જાહિરનામા.

એસાજે ખાલી લિહિલેલે સામાન મલ્યાની પુરવિષ્યાની જ્યા લોકોની ખુષી અસેલ ત્યાંજે મુજબના અર્જ ચાલતે મહિન્યાની તારીખ ૨૨ શુકરવારે રોજી ગોદીને ઇંબનિયરને કચેરીત એકૂન થેતીલ.

દગડ.

ફુટી.	ફુટી.	ફુટી.	
૩	× ૧૧	× ૧૧	એપરનાં મુ. ૪૧
૨૧૧	× ૧	× ૧	એન્ન. ૮૦
૧	× ૧૧૧	× ૧	એન્ન. ૨૭૦
૨	× ૧૧૧	× ૧	એન્ન. ૧૭૮૪
૧૧	× ૧	× ૧	એન્ન. ૩૪૪૦
૨૧૧	× ૧૧૧	× ૧	એન્ન. ૨૭૮
૧૧	× ૧	× ૧	એન્ન. ૨૦૦
૧૧૧	× ૧	× ૧	એન્ન. ૨૮૦
૨૧	× ૧૧	× ૧	એન્ન. ૨૦૪૦
૧	× ૧	× ૧	એન્ન. ૧૬૦૦
૧૧૧	× ૧	× ૧	એન્ન. ૬૪
૧૧	× ૧૧	× ૧	એન્ન. ૮
૧૧૧	× ૧૧૧	× ૧	એન્ન. ૨૭૦
૨	× ૧૧૧	× ૧	એન્ન. ૬૬
૩	× ૧૧	× ૧	એન્ન. ૨૬૬
૨૨૮૮ ચોરસ ફુટી ખાંડકી.			
૨૦૦ ડબર બરાસ.			

જો સર્વોહૂન કમી વેરીજ વોલેલ ત્યાંજે તાકાલ દર શેકડા ટકે ૧૦ પ્રમાણે એવજ અમાનત ઠેવિલા પાહિજે તો એવજ મલ્યાને જતાવર સહી કરવ્યાસ ટાકાટાક અથવા વિલંબ કલ્યાસ સરકાર દાખલ હોઈલ.

સહી.

એ. વેમીસ, કપતાન,

ગોદીને ઇંબનિયર.

તારીખ ૧૮ સપ્ટેમ્બર સન ૧૮૫૪ સવા મુલ મુંબઈ ગોદીને ઇંબનિયરની કચેરી.

VENAYEK WASSOODEW,
Oriental Translator to Govt.

In the Court for the Relief of Insolvent Debtors, Bombay.

Notice is hereby given, that WITTOBA DAMODHURJEE, an Insolvent, did, on the eighteenth day of September instant, file his Petition in my Office (under the provisions of the Act relating to Insolvent Debtors in India), praying that he might be discharged from all liability in respect of the Debts or Claims established, or which might by law be proved in the Court in the matter of his Insolvency, and that the Court has appointed the third Monday in November next for the further hearing of the said Petition.

Any Creditor wishing to dissent from the said Insolvent having his discharge must give notice in writing thereof to me at my Office at least three days before the hearing; and all Creditors who shall not have given such notice will, at the expiration of the above-mentioned time, be taken to have assented thereto.

W. BROOKFIELD,
Acting Clerk of the Court.

Clerk of the Court's Office, Fort,
Bombay, 19th day of September 1854.

શ્રી મુંબઈના નાદાર દેણદારોનાં
છુટકા કરનારી કોર્ટનમ્બે.

એ જીપરથી મળ્યર આપવાનાં આવે છે ન હોંડુશયાનનાં નાદાર દેણદારોની બાબત ના કાએદાની કલમો પરનાં વીદાયા દા મોદરજ નાદારે સાલતા શપરંપર મહીનાની તારીખ અરાડની એ હમારી હાંકીશનાં પો તાની અરજ દામલ કરી તેનાં અરજ એ છે ને મારી નાદારોની બાબતમ્બે ને દેવું તથા લેણું સાબીત થજું છે અથવા ધારા પરનાં કોર્ટનમ્બે ને સાબીત થાએ તેના લાગતા વલગતાથી મારે છુટકો કરે એવું લખું છે અને તે અરજ ફરીથી સાલવાયાં કારટે આપતા નવંપર મહીનાનો તીજો શોમવાર ઠરાવે છે.

નાદાર મજકુરનો છુટકો ન થાએ હવે હરેક લેણદારની ઈછા હમેતો નાદારની અરજ સાલવાની થાડાનાં થાડા તરણ હી વશ અગાજી તેણે હમારી હાંકીશનાં મને મળ્યર લખી આપવી ને ને શરવે લેણદારો એવી મળ્યર નહોં લખી આપશે તેઓએ તે વાતને (એટલે નાદાર મજકુરનો છુટકો થવાને) કમુલ થયા છે એવું જીપર લખેલી મુદત ગુજરા પછે બજવાનાં આવશે.

૧. મુરકકીલડા,
કોર્ટને આકરોંગ કલારક મહી.

શ્રી મુંબઈના કોર્ટનમ્બે કોર્ટના કલાર
કની હાંકીશમ્બે લખી તારીખ ૧૯
મી શપરંપર મ્બે ૧૮૫૪.

(True Translation)

J. FLYNN, Chief Translator.

Supreme Court, Translator's Office,
19th September 1854.

OPIMUM MEMORANDUM for the Week ending Tuesday, 19th September 1854.

YEARS.	PASSESGRANTEDATINDORE				IMPORTED INTO BOMBAY				EXPORTED BY SEA			Balance unaccounted for.	Detail of Exports from 13th to 19th September 1854.
	Up to the 12th Sept. 1854.	From 13th to 19th Sept. 1854.	Total.	2 1/2	Up to the 12th Sept. 1854.	From 13th to 19th Sept. 1854.	Lost on the road.	Total.	Up to the 12th Sept. 1854.	From 13th to 19th Sept. 1854.	Total.		
For 1851-52. Chests	26,047½	..	26,047½	26,041	..	6½	26,047½	26,037½	..	26,037½	3½	Of THE SEASON 1852-53. Chests 10½	
" 1852-53. "	27,955½	..	27,955½	27,949½	..	6	27,955½	27,809½	16½	27,826	123½	Per Steamer " Erin"	
" 1853-54. "	24,847	109	24,956	24,558½	30	3½	24,292	21,386½	239	21,625½	2,608½	Of THE SEASON 1853-54. " 280	
												Per Steamer " Erin"	
												Total.... Chests 255½	

C. J. DAVIES,

Deputy Commissioner of Customs, Salt, and Opium.

Bombay, Office of Commr. of Customs, Salt, and Opium, 20th Sept. 1854.

Notice

Is hereby given, that persons desirous of entering into a contract for SUPPLYING GRAIN, &c. as may be required by the Commissariat Department at the Presidency, to last up to the 31st January next from the date of the acceptance of the offer, may, on application at this Office from 11 A. M. till 5 P. M. daily (Sundays excepted), obtain copies of the schedule or list of prices, and such information relating thereto as they may require.

2. Verbal offers for the contract will be received at this Office on Friday the 6th proximo, at 2 o'clock precisely, when bidders will be required to bid a per-centage above or below the prices exhibited in the above list at which the supply will be made, on the understanding that the articles supplied are to be of unexceptionable quality, and according to musters which may be seen in this Office, or of the sort usually supplied, and are to be delivered, in the first instance at the Commissariat Stores at the Presidency if required, and afterwards to the indenting Departments, in good condition, free of all charges beyond the stipulated price, in such quantities as may from time to time be demanded, and that the same are liable to examination and rejection by the executive Commissariat Officer, or by the indenting or receiving Officer; or by a Committee of Officers appointed on the part of Government, in the event of the contractor being dissatisfied with the decision of the above Officers, or either of them; it being understood that the decision of such Committee is to be final, and binding on all parties.

3. It is to be clearly understood that such of the articles specified in the schedule as form part of the Rations for European Soldiers or Hospital Diet, are to be supplied under the rules laid down in G. G. O. No. 613 of the 10th October 1853, and No. 33 of the 11th January 1854, copies of which may be seen at this Office.

4. No person will be allowed to bid for the contract unless he previously deposits in this Office in cash the sum of Rs. (1,696) one thousand six hundred and ninety-six, which sum will be forfeited in the event of delay, evasion, or refusal on his part to execute the necessary deed of contract when required to do so, on his offer being accepted, in which latter case he must be prepared to give unexceptionable bonded security to the further amount of Rupees (6,784) six thousand seven hundred and eighty-four, which, together with the amount previously deposited, will be held as a guarantee for the due fulfilment of his contract.

5. A contractor must comply immediately with all emergent demands, and meet others of less urgency within the periods stated in the requisitions made upon him; in failure whereof, or if any supply be condemned by a Committee of Officers as aforesaid, the articles, or such others as may be required in lieu thereof, shall be purchased by this Department, without delay, at his risk and cost, if it be considered expedient to do so; and in all such cases (30) thirty per cent. upon the amount of expenses incurred, or a fine of from Rs. (30) thirty to (200) two hundred, at the option of the executive Commissariat Officer, will be levied as liquidated damages for each and every such breach of contract, it being understood that the simple condemnation of any article by a Committee constitutes a breach of contract, whether the rejected articles be

replaced by the contractor or by this Department; in every such case, also, it is to be understood that the contract may be cancelled, at the discretion of the Commissary General, and that if the contract be so cancelled, the cash deposit mentioned in para. 4 of this Notice will be forfeited to Government.

6. It is also to be understood that any negligence, evasion, or refusal on the part of a contractor to make supplies or obey orders, or any attempt on his part, or that of his agents, to pass off articles of an inferior quality in lieu of those he is bound to supply, or any neglect to deliver them at the time and place ordered, will subject him, in every instance, to be fined to the extent of Rupees (25) twenty-five, at the option of the executive Commissariat Officer, from whose order an appeal may be made to the Commissary General, whose decision is to be final; but in cases when it may be deemed fit to exact any of the penalties provided for in the preceding Clause, no further penalty shall be leviable under this Clause.

7. It is further to be understood, that the contractor, or an accredited agent on his part, approved of by the executive Commissariat Officer, is to attend at this Office during the usual hours of business, i. e. from 10 A. M. to 5 P. M. daily (Sundays excepted), also at such other time or place as may be indicated by the executive Commissariat Officer, when he may consider it desirable for the public service to require such attendance.

8. Any party whose offer is accepted will be required to produce his securities for the approval of the Honorable Company's Solicitor, within fifteen days from the date of the acceptance of his offer, or the contract will be resold. No reason will be stated for rejecting any security offered.

9. Bills for articles supplied under this contract must be preferred within one month from the date of the delivery of the articles, in default of which the contractor will forfeit the full value of the supplies for which bills have not been so preferred, unless it clearly appear, to the satisfaction of the Commissary General, that the delay was unavoidable.

10. The amount of retrenchments made by the Military Board on the contractor's bills will be recovered from the first bills preferred for payment; but in the event of such retrenchments, or any portion thereof, being remitted, the amount remitted will be refunded.

11. Any party who, after offering for a contract, fails to furnish the necessary security, as provided for in Clause 8 of this Notice, will be interdicted from bidding on future occasions, unless he produces a document from some person or persons of unexceptionable character and sufficient means, guaranteeing the due execution and performance of the contract, on his offer being accepted.

12. The annual outlay on the above contract is estimated at Rs. (33,920) thirty-three thousand nine hundred and twenty.

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

J. B. RAMSAY, Major,
Acting Deputy Commissary General.

Bombay, Deputy Comm'y. Gen'l's Office,
19th September 1854.

અહિર ખયર.

હીઆથી આપવાનાં આવેછે ન તારીખ
ક હી આવતા મહીનાની અને શુકરવારને
દીને અપારનાં યરોયર કલાક ર વાગતે મુંબા
ઇની કમીશરી જનરાલની હાકીશનાં અના
જનુ કંતરાકટ આવતા અનેવારી શુધીયુ
વચવાનાં આવશે તે ન તારીખથી કબુલ
કરશે તે તારીખથી આલુ કરીઆનાં આવશે.

ન શખશ એ કંતરાકટ લેવા આહાને
હાએ તેને આએ હાકીશનાં દરરોજ કલાક
૧૧ થી તે ૫ શુધી અરજ કરેઆથી ભાવનું
હીશરની નકલ તથા તે શીવાએ ને કાંઇ
ખયર નાઇશે તે આપવાનાં આવશે.

મુંબાઇની દેપુટી કમીશરી જનરાલ
ની આકીશ તારીખ ૧૮ ની શપતે
ખયર શને ૧૮૫૪ ઇશવી.

J. B. RAMSAY, Major,
Acting Deputy Commissary General.

Notice.

Will be sold by PUBLIC AUCTION, in the Dock-
yard, on Friday the 22nd instant, at 2 o'clock
P. M., a quantity of TEAK-WOOD SLAB PIECES, &c.

Conditions of Sale.—The lots to be paid for
on the spot when knocked down, and removed
within two days from the date of sale.

F. WEMYSS, Captain,
Engineer to the Dockyard.

Bombay,
Dockyard Engineer's Office,
18th September 1854.

અહિરનાંમું.

એહુવુ ને શાગવાંની લાકડાંનાં અવદલાં
વગેરે આલતા મહીનાની તારીખ ૨૨ ની
શુકરવારને દીને યાર ઊપર એ વાગતે ગોદી
નાં અહિર લીલાંમ કરોને વચવાનાં આવશે.

વચાંણના કરાર.

હાટો લીધા એટલે તરત પછેશા આપીને
વચાંણની તારીખથી એ દીવશની અંદર કા
હાડી લઇજવા નાઇએ.

શહી.

એફ. ઊવેમીશ કપતાન,
ગોદીનો ઇંજનીઅર.

તારીખ ૧૮ ની માહે શપટયર શને
૧૮૫૪ ઇશવી મુકાંમ મુંબાઇ ગો
દીનો ઇંજનીઅરની કચેરી.

VENAYEK WASSOODEW,
Oriental Translator to Govt.

જાહિરનામા.

એસાજે સાગવાંની લાકડાંની અવદલે વૈર ચાલતે મહિ-
ન્યાની તારીખ ૨૨ શુકરવારને રોજી વારાવર દોન વાજતાં
ગોદીત જાહિર લેલાંવ કરૂન વિકલોં જાતીલ.

વિકરીવે કરાર.

લાટ વેતલે મજને તાલાલ પૈસા દેઝન વિકરીવે તારલે
પાસૂન દોન દિવસાંવે આંત કાદૂન ન્યાવે.

સહી.

એફ. વેમીસ કપતાન,

ગોદીવે ઇંજિનિયર.

તારીખ ૧૮ સપ્ટેમ્બર સન ૧૮૫૪
મુકામ મુંબાઇ ગોદીવે ઇંજિનિયરની કચેરી.

VENAYEK WASSOODEW,
Oriental Translator to Govt.

Notice

Is hereby given, that the Commander in Chief
of the Indian Navy will be prepared to receive
Tenders for COALS fit for STEAM PURPOSES, for
the service of Government.

2. The Coal is to be all of the best quality,
and certificates of the quality and description of
the Coals are to be forwarded with the Tender.

3. The rate tendered must include all charges
till the Coals are delivered into the Government
Stores, properly screened there, if required, at the
expense of the tenderer, through a screen 1½-inch
mesh.

4. The Coal shall be subjected to the inspection
of a Committee of Government Officers, and be at
the risk of the tenderer until their actual delivery
into the Government Stores.

5. The Form of Tender below given must be
adopted without alteration, and Government re-
serves to itself the right to reject, without assigning
reason, any Tender, although it may appear to be
the lowest.

Form of Tender.

To the Commander in Chief of the Indian Navy.

SIR,

With reference to the Government Notification
dated the 30th June 1852, we hereby tender for the
service of Government, Coals of the undermen-
tioned descriptions, and at the price hereunto
annexed:—

Description of Coals.	Per what Ship.	No. of Tons.	Price per Ton of 20 cwt. includ- ing all Charges.	Amount in Words.
			Rs. a. p.	

We agree to each and all of the conditions
contained in the Government Notification above
referred to.

Bombay (date).

We are, &c.

By Order of the Commander in Chief Indian Navy,

F. G. BONE, Secretary.

Commodore's Office, Bombay,
30th June 1852.

POST OFFICE NOTICES.**OVERLAND MAIL.**

The Overland Mails, *via* Marseilles, and *via* Southampton, per Honorable Company's Steamer "FEROZE," will be closed on THURSDAY the 28th instant, at 6 o'clock P. M. precisely.

An After-Packet will be kept open, until 7 o'clock P. M., for Bearing Letters only, on the usual terms.

Letters for the United Kingdom directed *via* Marseilles cannot be prepaid in this country.

CHINA MAIL.

Mails for CEYLON, PENANG, SINGAPORE, HONG-KONG, AUSTRALIA, and MAURITIUS, per P. & O. Co.'s Steamer "MALTA," will be closed on SATURDAY the 30th instant, at 6 o'clock P. M.

Post Office Packets for KURRACHEE and SCINDE, per Bombay Steam Navigation Company's Steamer "VICTORIA," will be closed on the 24th instant, or 12 hours after the arrival of the next Overland Mail.

Bombay, General Post Office, 20th September 1854.

DUNCAN DAVIDSON,
Post Master General.

POSTAL NOTICE.

The regular MONTHLY OVERLAND MAILS, *via* Marseilles and Southampton, will be closed at this Office, during the ensuing fair Season (September to April inclusive), on the evening of the 28th of each month, except in January, when they will be closed on the 27th.

The MID-MONTHLY OVERLAND MAILS, *via* Marseilles and Southampton, will be closed, during the same period, on the evening of the 14th of each month, except in January, when they will be closed on the 13th.

Letters, &c. will be received for despatch by the Overland Mails up to 6 o'clock P. M. on the days specified, an After-Packet being kept open, for *Bearing Letters only*, on the usual terms, up to 7 P. M.

DUNCAN DAVIDSON,
Post Master General.

*Bombay, General Post Office,
15th August 1854.*

POSTAL NOTICE.

Notice is hereby given, that from 1st proximo NEW POST OFFICES will be ESTABLISHED at Jumboosir, in the Broach Cotton Districts, a short distance from Tunkaria Bunder, and at the town and port of Cambay, in the Kaira Collectorate.

A General Post Line will, from the same date, commence running through the above Offices and Districts, between Kaira and Broach.

DUNCAN DAVIDSON,
Post Master General.

*Bombay, General Post Office,
4th September 1854.*

POSTAL NOTICE.

From Monday the 11th instant, the MAILS for TANNA, KHANDEISH, and the NORTH-WEST LINE will be CLOSED on Week-days at 3 P. M. instead of at 2 P. M., and on Sundays at 1 P. M.

DUNCAN DAVIDSON,
Post Master General.

*Bombay, General Post Office,
5th September 1854.*

POSTAL NOTICE.

A POST OFFICE has been ESTABLISHED at Hqobli, in the Cotton Districts, 12 miles South of Dharwar, on the Line running between the Southern Mahratta Country, through Sircea in Canara, and the Port of Compta.

DUNCAN DAVIDSON,
Post Master General.

*Bombay, General Post Office,
8th September 1854.*

Public Notice.

With reference to Section XVI. of Act XVII. of 1854, it is hereby notified, that as the LETTER POST and BHANGY POST are conveyed in the same Carriage between Bombay and Poona, no Letter or written communication of less weight than 12 tolas, or any Packet of Newspapers, can be sent by the Bhangy Post. Any person forwarding such Letter or Newspaper enclosed in a Parcel, forfeits a sum not exceeding 50 Rs. for every offence.

DUNCAN DAVIDSON,
Post Master General.

*Bombay, General Post Office,
8th September 1854.*

PACKETS.

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

NAMES OF VESSELS.	AGENTS' NAMES.	DATE OF INTENDED DEPARTURE.	TO WHAT PORT.	WHERE TOUCHING.
Ferooz	Commander in Chief of the Indian Navy.	28th instant	Suez	Aden.
Malta	P. & O. Steam Navigation Company ..	1st proximo	Hong-Kong	Galle, Penang, and Singapore.
Victoria	Bombay Steam Navigation Company ..	12 hours after the arrival of the Overland Mail.	Kurrachee.	
Caucasian	Messrs. Leckie & Co.	26th instant	London.	
Thomas Spark	" Ewart, Latham, & Co.	27th ditto	Calcutta.	
Ann Nelson	" Robert Strong & Co.	30th ditto	Liverpool.	
Prompt	" W. & A. Graham & Co.	Despatch ..	Ditto	

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

DUNCAN DAVIDSON,
Post Master General.

Bombay, General Post Office, 20th September 1854.

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.

BEEF.			PORK, FRESH AND SALT (continued).			SUGAR OF SORTS.		
Rt. a. p.			Rt. a. p.			Rt. a. p.		
Prime Pieces.....1st sort, 6 to 8 lbs.	1	0	Trotters, large.....per four	0	1	Sugar, Pinfa.....per md. of 28 lbs.	6	4
".....2nd.....10	0	0	" small....." 0	1	0	" Candy.....1st sort, ..	5	8
".....3rd.....16	0	0	Pig's Liver and Heart....." 0	2	0	".....2nd....." 5	4	0
Brisket and Round.....1st.....10	0	0	Pork, salt, Country.....8 lbs.	1	0	".....3rd....." 5	0	0
".....2nd.....14	0	0				" soft.....1st....." 6	0	0
".....3rd.....18	1	0				".....2nd....." 3	8	0
Meat for Soup.....14	1	0				" brown....." 3	0	0
Shin, large.....each	0	3				Jaggree....." 1	14	0
" small....." 0	0	8						
Ox Tails....." 0	0	8						
Tongue, large....." 0	3	0						
" small....." 0	2	6						
Heart, large....." 0	2	6						
" small....." 0	1	9						
Marrow-bone....." 0	0	8						
Ox Palates.....four	0	4						
Feet.....per lb.	0	4						
Suet.....each	0	4						
Tongues (salted, dry), Poona.....each	0	4						
" (pickled), Bombay....." 0	5	0						
VEAL, SMALL.			POULTRY.			GHEE OF SORTS.		
Hind Quarter.....1st sort, 4 lbs.	1	0	Geese.....each	3	8	Ghee, Kurrahee.....per md. of 28 lbs.	6	14
".....2nd.....5	1	0	Turkey, cock, Bombay....." 0	0	0	" Surat....." 7	10	0
".....3rd.....6	1	0	" hen....." 0	0	0	" Bhownuggur....." 8	0	0
Fore Quarter.....1st.....5	1	0	" cock, Goa....." 0	0	0	" Balgianty....." 8	0	0
".....2nd.....6	1	0	Fowls, large, Surat....." 1	0	0	" Ghanty....." 5	14	0
".....3rd.....6	1	0	" small....." 1	0	0	" Rajapoor....." 6	8	0
			" large, Bombay....." 0	8	0	" Jaffrabad....." 9	0	0
			" small....." 0	6	0			
			Ducks, large....." 0	12	0			
			" small....." 0	8	0			
			Chickens, large.....per dozen	2	8			
			" small....." 2	4	0			
			Hens' Eggs.....each	0	3			
			Ducks'....." 0	0	3			
VEAL, LARGE.			FRUITS OF SORTS.			GRAIN OF SORTS.		
Hind Quarter.....1st sort, 4 lbs.	1	0	Pine-apples, Bombay, large.....each	0	0	Wheat, Hansia.....per edy. of 8 pharas	24	0
".....2nd.....5	1	0	" small....." 0	0	0	" Jambouscer.....1st sort, ..	22	0
".....3rd.....6	1	0	" Goa, large....." 0	0	0	" Bhownuggur.....1st....." 20	0	0
Fore Quarter.....1st.....5	1	0	" small....." 0	0	0	".....2nd....." 19	0	0
".....2nd.....6	1	0	Poncelos, large....." 0	12	0	" Ghantee....." 18	0	0
".....3rd.....6	1	0	" small....." 0	8	0	" Sindoe....." 10	0	0
			Guavas, large....." 0	0	0	" Gram, Jambouscer....." 20	0	0
			" small....." 0	0	4	" Ghogaree, new....." 19	0	0
			Oranges, large....." 0	0	8	" Ghantee, old....." 20	0	0
			" small....." 0	0	6	".....old....." 21	0	0
			" common....." 0	0	3	" Vunjar....." 21	0	0
			Grapes, black.....per seer	0	0	Wooreed, Ghantee....." 20	0	0
			" green....." 0	0	0	" Malhar....." 19	0	0
			Melons, Water, large.....each	0	0	" Catch....." 21	0	0
			" small....." 0	0	0	" Ghogaree....." 16	0	0
			" Musk, large....." 0	2	0	" Muti, Ghogaree....." 14	0	0
			" small....." 0	1	6	" Ghantee....." 25	0	0
			Plantains, red, large....." 0	4	0	" Muggs....." 18	0	0
			" small....." 0	4	0	" Ghogaree....." 10	0	0
			" yellow, large....." 0	4	0	" Bazaree, Ghantee....." 20	0	0
			" small....." 0	3	0	" Bhownuggur, 1st sort, ..	20	0
			Limes, sweet....." 0	8	0	".....2nd....." 18	0	0
			" sour....." 0	0	0	" Rajapoor....." 16	0	0
			Polatoes, Neelcherries, large.....per seer	0	0	" Barley, new....." 14	0	0
			" small....." 0	0	0	" old....." 19	0	0
			" Mahabeshwar, large....." 0	1	0	" Toor.....1st sort, ..	17	0
			" small....." 0	0	9	".....2nd....." 14	0	0
			" Poona, large....." 0	8	0	" Joaree....." 14	0	0
			" small....." 0	0	0	" Nacheeny....." 17	0	0
			" Surat, large....." 0	0	0	" Vattam....." 17	0	0
			" small....." 0	0	0	" Chowley.....per phara	3	4
			Yams, white....." 0	8	0	" Dall, Broach....." 4	4	0
			" red....." 0	8	0	" Surat....." 4	8	0
			Onions....." 0	0	0			
			Ginger....." 0	0	0			
MUTTON FOR EUROPEANS.			DRY FRUITS OF SORTS.			UNBOILED RICE OF SORTS.		
Saddle.....1st sort, per lb.	0	3	Plums, fine.....per seer weight	0	8	Rice, Putney.....per phara	2	6
".....2nd....." 0	2	0	" coarse....." 0	7	6	" Shindey, red....." 0	0	0
".....3rd....." 0	1	6	" Currants, fine....." 0	6	0	".....red....." 2	2	0
Leg, Loin, Neck, & Shoulder, 1st....." 0	2	0	" coarse....." 0	5	6	" red....." 2	0	0
".....2nd....." 0	1	6	Prunes, new....." 0	1	6			
".....3rd....." 0	1	6	" old....." 0	1	6			
Breast.....1st....." 0	1	3	Almonds, sweet....." 0	1	3			
".....2nd....." 0	1	3	" bitter....." 0	2	0			
".....3rd....." 0	1	3						
Tongue, Sheep's.....each	0	0						
Brains....." 0	0	0						
Liver and Heart....." 0	1	0						
Kidneys....." 0	4	0						
Feet.....four	0	3						
Suet.....per lb.	0	4						
MUTTON FOR NATIVES.			BREAD, &c.			BEATEN RICE OF SORTS.		
First sort.....10 lbs.	1	0	A loaf, 1st sort.....13 oz. each	0	1	Rice, Jersaal.....1st sort, per phara	3	8
Second.....19	1	0	" 2nd....." 0	1	0	" Vergole.....2nd....." 3	4	0
Third.....16	1	0	" brown....." 0	1	0	" Shindey ratra....." 2	12	0
			".....10....." 0	1	0	" Segundee....." 3	12	0
						" Putney....." 2	8	0
						" raw....." 2	4	0
KID, SMALL.			MILK AND BUTTER.			MANGALORE RICE OF SORTS.		
Hind Quarter.....1st sort, 4 lbs.	1	0	Cows' Milk.....per seer measure	0	1	Rice, unboiled.....1st sort, per robin	3	0
".....2nd.....5	1	0	" Butter.....per cup of 2 oz.	0	1	".....2nd....." 2	12	0
".....3rd.....6	1	0	Buffaloes' Milk.....per seer measure	0	1	" boiled.....1st....." 2	8	0
Fore Quarter.....1st.....5	1	0	" Butter.....per cup of 2 oz.	0	1	".....2nd....." 2	4	0
".....2nd.....6	1	0						
".....3rd.....7	1	0						
Head, Feet, Liver, and Heart.....each	0	4						
KID, LARGE.			FIREWOOD.			BENGAL RICE OF SORTS.		
Hind Quarter.....1st sort, 4 lbs.	1	0	Bahool.....per edy. of 28 mds. (784 lbs.)	3	4	Rice, unboiled.....1st sort, per bag of 168 lbs.	7	0
".....2nd.....5	1	0	Kilnir....." 2	8	0	".....2nd....." 6	8	0
".....3rd.....6	1	0	Aine....." 2	8	0	" boiled.....1st....." 0	0	0
Fore Quarter.....1st.....5	1	0	Kurnell....." 3	0	0	".....2nd....." 5	8	0
".....2nd.....6	1	0						
".....3rd.....7	1	0						
LAMB, SMALL.			OILS, CANDLES, AND SOAP.			BHATT.		
Hind Quarter.....1st sort, 4 lbs.	1	0	Cocunut Oil.....1st sort, per md. of 28 lbs.	3	2	Bhatt, Putney.....per moora of 25 pharas	24	0
".....2nd.....5	1	0	".....2nd....." 3	1	0	" raw....." 22	0	0
".....3rd.....6	1	0	Jenglee....." 3	8	0	"....." 20	0	0
Fore Quarter.....1st.....5	1	0	Erundia, or Castor Oil....." 2	15	0			
".....2nd.....6	1	0	Candles, Europe....." 18	0	0			
".....3rd.....7	1	0	" Goa....." 17	8	0			
			" Cochin....." 10	0	0			
			Soap, Country....." 1	5	0			
			" Europe, yellow....." 3	8	0			
			" white....." 3	0	0			
LAMB, LARGE.			SUNDRIES.					
Hind Quarter.....1st sort, 5 lbs.	1	0	Saltpetre, Europe.....per md. of 28 lbs.	2	8			
".....2nd.....5	1	0	" Bengal....." 2	0	0			
".....3rd.....6	1	0	" Rajapoor....." 1	0	0			
Fore Quarter.....1st.....5	1	0	Pepper, black.....1st sort, per seer weight	0	2			
".....2nd.....6	1	0	" white....." 0	1	9			
".....3rd.....7	1	0	".....2nd....." 0	1	9			
			Garlic, large....." 0	0	0			
			" small....." 0	0	8			
			Camphor.....per lb.	0	8			
			Salt, table.....per seer measure	0	1			
			" common, white.....per pyle	0	1			
			" black....." 0	1	0			

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

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.
A Robin of Rice averages about 15 Pylees.

Bombay Weights by which the articles are sold:—1 Seer is 11 ozs. and 4 drs.—40 Seers are 1 Maund.—1 Maund is 28 English Pounds.

Published by order of the Board of Conservancy,

Bombay, Monday, 18th September 1854.

J. WATSON, Clerk of the Markets.

General Orders.

MILITARY DEPARTMENT.

BY THE RIGHT HONORABLE THE GOVERNOR IN COUNCIL.

Bombay Castle, 14th September 1854.

No. 598 of 1854.—With reference to the General Order No. 461, dated the 30th June last, the Right Honorable the Governor in Council, under the instructions of the Supreme Government, has resolved that the functions of the Clothing Board shall cease on the 1st proximo.

Major B. Crispin is appointed Superintendent and Agent for Army Clothing from that date, on a salary of Rupees one thousand per mensem, with the Pay and Allowances of his rank according to the Presidency scale.

Bombay Castle, 15th September 1854.

No. 599 of 1854.—The services of Captain W. Kendall, Executive Engineer, Ahmedabad Division, are placed at the disposal of His Excellency the Commander in Chief, for the purpose of being appointed to the Command of the Corps of Sappers and Miners.

No. 600 of 1854.—Lieutenant C. Scott, 1st Assistant Superintendent of Roads, is appointed Executive Engineer, Ahmedabad Division.

Bombay Castle, 16th September 1854.

No. 601 of 1854.—Mr. George Graham Howe Fulton is admitted to the Service, in conformity with his appointment by the Honorable the Court of Directors, as a Cadet of Infantry on this Establishment, and promoted to Ensign, leaving the date of his Commission for future adjustment. Date of arrival at Bombay, 5th September 1854.

Captain (Brevet Major) T. R. Morse, of the Left Wing 1st European Regt. (Fusiliers), and Superintendent of Bazars at Poona, has returned to his duty without prejudice to his rank, by permission of the Honorable the Court of Directors. Date of arrival at Bombay, 5th September 1854.

No. 602 of 1854.—Lieutenant T. Knight, of the 16th Regt. N. I., is confirmed in the appointment of Interpreter to His Excellency the Commander in Chief, from the 1st instant.

Bombay Castle, 18th September 1854.

No. 603 of 1854.—Captain F. F. Bruce, of the 12th Regt. N. I., is allowed a furlough to Europe for a period of three years, on Medical certificate, under the old Furlough Regulations.

Bombay Castle, 20th September 1854.

No. 604 of 1854.—The leave to Australia on Medical certificate granted to Lieutenant Blowers, by G. G. O. No. 552, 23rd October 1851, is extended till the 30th November 1853, on the same account.

No. 605 of 1854.—Captain Curtis, Acting Executive Engineer, Central Scinde Division, is allowed leave of absence to visit the Presidency from the date of the last Steamer leaving Kurrachee in October, returning to his duty by the last Steamer leaving Bombay for Kurrachee in November next.

Lieutenant Mellersh, Deputy Commissary of Ordnance, is appointed to act for Captain Curtis during his absence, on his responsibility.

No. 606 of 1854.—Captain (Brevet Major) W. Brown, of the 12th Regt. N. I., is permitted to retire from the Honorable Company's Service on the pension of Major, under the old Regulations, from the 1st October next.

No. 608 of 1854.—The following Order is confirmed:—

Dated 26th August 1854.—By Lieutenant Gillespie, appointing Lieutenant Finch to act as Adjutant to the Corps of Sappers and Miners, during such time as the former Officer may be in Command of the Corps, or until further orders.

No. 609 of 1854.—The services of Lieutenant Colonel Whitlie, C.B., Deputy Principal Commissary of Ordnance, are placed at the disposal of His Excellency the Commander in Chief, for Committee duty.

No. 610 of 1854.—The Right Honorable the Governor in Council is pleased to republish the following General Order by the Most Noble the Governor General of India in Council, dated Fort William, 11th July 1854:—

No. 721 of 1854.—The Most Noble the Governor General of India in Council is pleased to direct that the following paragraph of Military letter from the Honorable the Court of Directors to the Governor of Bengal, No. 52, dated 17th May 1854, be published in General Orders:—

Letter dated 18th February 1854, No. 40.

With reference to para. 24 of 213 of 1853, and Court's reply thereto, submit papers with a suggestion that no further expenditure be incurred in furnishing Recruits with Boxes for their Clothing, as Canvas Bags are considered more suitable for use on board ship.

11.—The supply of Boxes to Recruits has been discontinued. They are now supplied with Canvas Bags, which they take with them on embarkation for India. These Bags are their own property, the cost of them (5s. 3d. each) having been defrayed out of the Bounty.

(Signed) R. J. H. BIRCH, Lieut. Colonel,
Offg. Secy. to the Govt. of India, in the Military Department.

No. 611 of 1854.—The unexpired portion of leave to Australia granted to Lieutenant F. W. Mackenzie, of the 8th Regt. N. I., in G. G. O. No. 583, of the 12th October 1852, is cancelled from the 3rd instant, the date of that Officer's return to the Presidency.

No. 612 of 1854.—The Right Honorable the Governor in Council is pleased to republish the following General Order by the Most Noble the Governor General of India in Council, dated Fort William, 7th July 1854 :—

No. 709 of 1854.—2nd Lieutenant D. J. Nasmyth, of the Bombay Engineers, and 2nd Assistant Bombay branch Great Trigonometrical Survey, is promoted to the grade of 1st Assistant Great Trigonometrical Survey of India, with effect from the 24th March 1854, vice Lieutenant Rivers, retired.

(Signed) R. J. H. BIRCH, Lieutenant Colonel,
Offg. Secy. to the Govt. of India, in the Military Department.

No. 613 of 1854.—The Right Honorable the Governor in Council is pleased to republish the following General Order by the Most Noble the Governor General of India in Council, dated Fort William, 25th August 1854, No. 862 :—

The Most Noble the Governor General of India in Council is pleased to sanction the admission of the under-mentioned Native Officer of the Bombay Establishment to the 2nd Class of the Order of British India :—

Ressaldar Shaik Kadar Bux, of the Poona Irregular Horse. . { From the 20th February 1854, vice Subadar Yar
Mahomed, Bahadoor, deceased.

(Signed) R. J. H. BIRCH, Lieutenant Colonel,
Offg. Secy. to the Govt. of India, in the Military Department.

By Order of the Right Honorable the Governor in Council,

T. MAUGHAN, Lieutenant Colonel,

Secretary to Government.

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

Bombay Castle, 15th September 1854.

No. 138 of 1854.—The following temporary arrangements and appointments are confirmed :—

By Rear Admiral Sir H. J. Leeke, K.H., R.N., Commander in Chief of the Indian Navy.

1. Assistant Surgeon Ross, of the "Acbar," to afford Medical aid to the Officers and Crew of the "Elphinstone," during the absence of Assistant Surgeon Thorold, who proceeded by the "Queen" to Kurrachee on one month's leave, commencing from 10th August 1854.

2. Mr. J. J. Walter, Acting Master, of the "Assaye," to be Store Accountant of that vessel, from the 8th July 1854.

3. Commander Barker, of the "Ferooz," to reside on shore for the benefit of his health, from the 7th August 1854.

4. Lieutenant Stradling, of the "Ferooz," to the temporary charge of that vessel, from the 12th August 1854.

5. The undermentioned Officers of the "Falkland" to be Store Accountants of that vessel, from the dates specified against their names, there being no other Officer available :—

Lieutenant Heathcote, from the 16th November 1853 to 30th April 1854.

Mr. Carew, Mate, from 1st May to 19th July 1854.

6. Mr. D. Brown, Acting Master, of the "Ajdaha," to reside on shore for the benefit of his health, on the 10th August 1854.

7. Lieutenant C. H. Walker, of the "Elphinstone," to the temporary charge of that vessel, from the 14th July 1854.

Burmah Squadron Order.

8. Mr. G. Rushton, Mate, of the "Sesostris," proceeding on duty from Rangoon to Prome, to join the "Medusa," to be accommodated on board the Steamer "Nurbudah," at the Commander's Mess, from the 19th to 29th August 1853.

Bombay Castle, 16th September 1854.

No. 139 of 1854.—The following Officers are allowed a furlough to Europe for one year, on Medical certificate :—

Midshipman George Capel.

Midshipman William Yates.

Bombay Castle, 20th September 1854.

No. 140 of 1854.—Mr. Thomas Knox, 1st Class Engineer, returned to his duty on the 5th instant, by the Steam-vessel "Semiramis," with the permission of the Honorable the Court of Directors.

By Order of the Right Honorable the Governor in Council,

T. MAUGHAN, Lieutenant Colonel,

Secretary to Government.

Civil Appointments, &c.

JUDICIAL DEPARTMENT.

Bombay Castle, 14th September 1854.

Mr. P. W. LeGeyt, Judge and Session Judge of Poona, is allowed leave of absence from the 15th to the 30th instant, on private affairs.

Bombay Castle, 20th September 1854.

Mr. W. Byard, Acting Advocate General, assumed charge of his office on the 4th instant.

Mr. F. F. Abuthnot, Third Assistant Magistrate of Kaira, has been examined in the Regulations, and found competent to transact public business.

By Order of the Right Honorable the Governor in Council,
H. L. ANDERSON, *Secretary to Government.*

TERRITORIAL DEPARTMENT,

REVENUE.

Bombay Castle, 15th September 1854.

Mr. C. Gonne, attached as an Assistant to the Collector of Ahmednuggur, has been allowed to proceed to the Presidency for the benefit of his health, and also for the purpose of prosecuting his studies in the Mahratta language, preparatory to appearing before the next General Examination Committee.

Mr. A. F. Luis, Sub-Assistant Superintendent Revenue Survey and Assessment, Ahmednuggur, has been allowed leave of absence for twenty days, to proceed to Poona and Bombay, on private affairs.

Bombay Castle, 16th September 1854.

Mr. G. S. Forbes, Acting 1st Assistant to the Collector of Tanna, has been allowed leave of absence for ten days from the 20th instant, under Section XI. of the Absentee Regulations, to proceed to Bombay, on urgent private affairs.

Bombay Castle, 20th September 1854.

Mr. J. Moriarty has been attached to the Surat Collectorate, and directed to study the Guzerathee language.

Mr. R. Phillipps has been placed under the Commissioner at Sattara, and directed to study the Marathee language.

Lieutenant W. Waddington, Supernumerary Assistant to the Superintendent Poona and Tanna Revenue Survey and Assessment, joined the Department on the 13th instant.

SEPARATE DEPARTMENT.

Bombay Castle, 19th September 1854.

Mr. R. Phillipps has been allowed to proceed to the Presidency, for the purpose of presenting himself for examination before the next General Examination Committee.

By Order of the Right Honorable the Governor in Council,
H. E. GOLDSMID, *Offg. Chief Secretary.*

GENERAL DEPARTMENT.

Bombay Castle, 19th September 1854.

Lieutenant Pelly, Deputy Collector in Scinde, has passed an Examination in the colloquial branch of Scindee.

Assistant Surgeon Sylvester, Civil Surgeon at Sholapoor, is allowed one month's leave of absence on private affairs, his duties during his absence being performed by Assistant Surgeon Skelding, 3rd Regt. N. I.

ECCLESIASTICAL DEPARTMENT.

Bombay Castle, 19th September 1854.

The Reverend P. Anderson, Chaplain of Colaba and the Harbour, has been allowed leave of absence, on private affairs, for one month from the 15th instant, to proceed to the Deccan, in conformity with Section XXV. (amended) of the Civil Absentee Regulations.

Bombay Castle, 20th September 1854.

The Reverend B. M. Huntington is admitted into the Ecclesiastical Establishment of this Presidency, as an Assistant Chaplain, from the 5th instant.

By Order of the Right Honorable the Governor in Council,
C. E. FRASER TYTLER, *Offg. Secretary to Government.*

GENERAL DEPARTMENT.

The Right Honorable the Governor in Council is pleased to republish, for information and guidance, the following Notification published by the Government of India :—

No. 32.

FORT WILLIAM, FINANCIAL DEPARTMENT.

The 25th August 1854.

The Most Noble the Governor General in Council is pleased to direct that the following Despatches from the Honorable the Court of Directors, and the Rules passed in conformity with the instructions therein conveyed, be published for general information :—

PUBLIC DEPARTMENT.

No. 23 of 1854.

Our Governor General of India in Council.

1. By the provisions of Section 32 of the new Act for the Government of India, the prohibition of the receipt by our Servants of any part of their Indian Allowances while absent in Europe is repealed, and as the legal obstacle to carrying out our views for the complete revision of the Rules for the grant of leave of absence to our Civil Servants under sick certificate, or on furlough, is thus removed, we lose no time in conveying our instructions on this important subject—a measure which we have long had in contemplation.

2. The present Rules allow of the absence of Civil Servants from their Stations under Medical certificate within the limits of their Presidencies, for a period of two years with retention of office, but subject to a deduction of one-third from the Salary thereof for the whole period of absence. They allow a Civil Servant to proceed under Medical certificate to any place beyond the limits of the Presidency to which he belongs, but within the limits of the Company's charter, for any period not exceeding two years, without loss of office, but subject to deductions* from the Salary thereof to the extent specified in the margin.

* If Salary exceed Rs. 2,000 per month, for the 1st year one-sixth, and for the 2nd year one-fourth.

If not exceeding Rs. 2,000 per month, for the 1st year one-eighth, and for the 2nd year one-sixth

If not more than Rs. 500 per month, no deduction for the 1st year, and only so much of the one-eighth as will reduce it to Rs. 500 if above that sum; for the 2nd year one-eighth.

3. After having given our best consideration to the subject, we propose to adopt the following Rules in lieu of those which have been referred to. We do not think it necessary, adverting to the increased facility of communication which has been afforded by the improved means of transport, and which the construction of Railroads in India will further increase, to maintain the restriction as to places and geographical limits which are now imposed by the regulations on Officers absent on sick leave. We are disposed to permit any Officer of this class to proceed to any place in India, in Europe, or elsewhere, as he may consider most conducive to the restoration of his health, and we intend therefore to impose no restrictions whatever as to the places to which he may resort.

4. The following conditions must in future attach to leaves of absence granted to Servants who shall have resided ten years and upwards in India, and who may be declared by a sufficient Medical certificate to require such leave for the recovery of their health :—

1st.—The total period of absence, with the privileges hereinafter provided, shall not (save as specially excepted in para. 5 of this despatch) exceed eighteen months in the whole, nor shall it exceed fifteen months on any one occasion.

2nd.—The office of the absentee will be considered to be vacated if he shall be absent beyond eighteen months altogether, or beyond fifteen months at any one time, such absence to be computed, if he shall proceed to a Sanitarium within the Presidency, from the date of his arrival thereat; if to any place beyond the Presidency but within the Continent of India, from the date of his reaching the limits of his own Presidency; and if he shall proceed to Sea, from the date of the sailing of the vessel, on which he may have embarked, from any port in India which is not more distant from his Station than the ports of his own Presidency, to the date of his arrival at any port within the Presidency to which he belongs, or at any other port which is not more distant from his Station than the ports of his own Presidency.

3rd.—The absentee will be entitled to draw a moiety of his Salary, and the same will be paid to him during such period of absence, provided that he shall in no case draw a larger sum than Rupees 10,000 (£1,000) per annum during that period. In cases in which the emolument of the absentee's office does not exceed Rupees 5,000 per annum, no deduction therefrom shall be made for the period of eighteen months, nor shall such a deduction be made in other cases as shall reduce the Allowance below Rupees 5,000 (£500) per annum.

4th.—If the absentee be compelled by the state of his health, under due Medical certificate, to remain absent for a longer period than eighteen months, or fifteen months at any one time, he will, as before stated, vacate his appointment, but he will be permitted to receive an Allowance at the rate of £500 per annum for such further period of absence as shall not exceed the entire term of three years in the whole. At the expiration of that term all Allowance must cease until the Servant's return to India.

5. If a Civil Servant of more than fifteen years' service, after having been absent on sick leave for eighteen months in the whole, or for fifteen months at one time, at whatever period of his service such sick leave shall have been taken, shall be again compelled by the same cause to apply for leave of absence, your Government and those of the subordinate Presidencies may, on special grounds, grant leave of absence for one further period not exceeding six months, during which the absentee may retain his office and half his Salary under the limits above enjoined.

6. If a Civil Servant after fifteen years' service shall be compelled by ill health to apply for further leave of absence, he may be permitted on special grounds to obtain it, but his absence will involve the loss of office and Salary; we shall, however, vest in your Government, and in the subordinate Governments respectively, a discretionary power to grant, in such last mentioned cases, a Sick Absentee Allowance not exceeding Rupees 5,000 (or £500) per annum for a further period not exceeding twelve months.

7. With regard to Junior Civil Servants who may be compelled by sickness, certified in a similar manner, to quit

their Stations before the completion of ten years' residence, we have resolved to modify the existing rule by limiting the period of absence to eighteen months, or fifteen months at any one time. They will not retain their appointments, but we shall permit them to draw during this period an Allowance at the rate of £250 per annum as at present, and if any Junior Servant absent as aforesaid be prevented by the state of his health under due Medical certificate from returning to his duty at the end of the periods above-named, he will be permitted to continue absent for a further term not exceeding eighteen months with the same Allowance.

8. A Junior Civil Servant having enjoyed either of the above-named advantages, will not be entitled to the leave of absence provided for Servants of more than ten years' service, after he shall have attained that standing, but if after he has attained it he shall be compelled again by ill health to quit his Station, and provided that his former periods of absence shall have fallen short of three years in the aggregate, he may be permitted, under Medical certificate, to receive a further leave of absence for such a period as shall make up the entire length of absence to three years, and during this additional period he shall receive an Allowance at the rate of £500 per annum. He will, however, be entitled after fifteen years' service to the benefit of the special leave authorised to be granted according to paras. 5 and 6 of this Despatch.

9. None of the above-mentioned Rules will be applicable to Members of Council, each Member may, however, with the special sanction of the Government, be permitted to be absent under Medical certificate for a period not exceeding six months, retaining his office and receiving half his Salary, which shall be paid to him during such absence; but if his absence shall exceed six months, his office will be vacated.

10. The privilege of retaining office and a portion of Salary for a limited period when on sick leave will render it necessary that great attention should be paid to the Medical certificates which may be produced by applicants for this leave. It is most essential to provide against any abuse of this privilege, and we desire that your immediate attention may be given to this subject, with the view of such strict Regulations being framed as may prevent certificates being obtained on insufficient grounds. You will forward to us the Regulations that you may think requisite for this purpose.

11. It appearing that the existing Rules with respect to the grant of leave of absence on private affairs for short periods work well on the whole, we do not propose to make any change in them. The maximum continuous period for which such leave can be granted (without loss of office) will therefore continue to be four months, viz. one month privilege leave, and three months "special leave" on sufficient cause being shown as provided in the present Rule.

12. We have on many former occasions adverted to the evils connected with the multiplication of *Acting Appointments*, and we rely upon your exercising the most vigilant attention that the repeated and particular instructions addressed to you from time to time upon this subject may be carried into effect, and especially those contained in our Financial Letter of the 3rd July 1844, No. 11.

13. You will not fail also to recollect that it is to be held as a principle not to be departed from, that no expense to Government is to ensue from the absence of Officers from their Stations, whether on sick leave or on short furlough on private affairs, and you will therefore so regulate the sums to be paid to the persons holding Acting Appointments, as to ensure that the aggregate amount of Official Salaries and emoluments shall on the one hand be appropriated to the liberal remuneration of the Acting Officers, and on the other hand cover the expense of the sums paid to the absentees. We desire that an annual account may be transmitted to us, showing how this Rule is carried out at each of the Presidencies.

14. In place of the period of three years (in one term) for which the furlough is now granted, we have determined to concede to our Civil Servants the option of taking a furlough of three years as at present, or of dividing the furlough into two periods, which may either be of one or two years respectively, or of eighteen months each, provided that in every such case the Civil Servant shall declare, on taking his furlough, whether he intends it to be for twelve, eighteen, or twenty-four months, in order that the Government may make its arrangements accordingly. In case of such division, the first furlough to be taken after a residence of not less than ten years, and the second furlough after a further residence in India of ten years from the date of return from the first furlough. But Civil Servants returning on furlough to this country will continue as at present to vacate their offices.

15. Having thus regulated the periods of furlough, we shall continue to grant for those periods the Furlough Allowance at present given, namely, £500 per annum.

16. We shall not encourage the grant of extensions of furlough beyond the prescribed period, nor shall we, upon any ground whatever, permit the receipt of Furlough Allowance for any longer period than three years under the Rules above stated.

17. Civil Servants who may have been compelled by sickness to quit their duty under Medical certificate before completing ten years' residence, will be entitled to receive during their furlough on private affairs taken subsequently to their completion of that period of residence, the ordinary Furlough Allowance of £500 per annum for three years.

18. In applying the foregoing Rules in substitution of those now existing, periods of absence to the limit of three years, either on Medical certificate or on furlough on private affairs, will count as service in India in the twenty-five years entitling to the Annuity, the present qualification of twenty-two years residence being retained. Periods of short leave of absence on private affairs taken in India will count as service and residence as at present.

19. In the above Regulations we have endeavoured to provide for the efficiency of the Public Service, while we have been anxious to extend every fair and reasonable allowance to our Servants, and, considering the present Rules for the grant of leave to the Cape, &c. to admit of much abuse which cannot fail to be disadvantageous to the Public Service, it is our desire that the new Rules with regard to sick leave shall apply to all our Servants, from the date of their promulgation.

20. We entirely concur in the opinion expressed in paras. 5 and 6 of your Despatch in this Department, dated the 3rd May 1850, No. 21, that it is advisable to prescribe by Rule, some period of service after which Civil Servants shall not be appointed to any new office, nor be permitted to retain office which they may have held for a period of five years and upwards, and we have resolved to establish thirty-five years as the period of service for the purpose in question. This Rule must, as you suggest, be subject to exceptions in special cases, which are to be referred for our decision. In such cases, your recommendation will not fail to receive our prompt consideration. The above Rule may be applied to every Civil Servant appointed to office after its promulgation, and to the case of every other Civil Servant to whom it relates, at the close of five years from the date of its promulgation.

21. We desire that the Rules for the grant of leave of absence on sick certificate and on furlough, be at once modified in accordance with the views contained in this Despatch, and that copies thereof be transmitted to us.

22. Military Officers employed in the Civil Department will be subject to the Rules laid down in our Military Despatch dated the 30th December 1853, No. 18, for the grant of leave of absence and furlough to Officers holding Military Staff Appointments.

23. You will communicate this Despatch to the Governments of Madras and Bombay, and to the Lieutenant-Governor N. W. Provinces, together with copies of the Rules so soon as they shall have been revised.

We are, &c.

(Signed) RUSSELL ELLICE,
J. OLIPHANT,
" And Eleven others.

London, 5th April 1854.

PUBLIC DEPARTMENT.

No. 33 OF 1854.

Our Governor General of India in Council.

Our Governor General of India in Council.

Para. 1. Since our Despatch in this Department, No. 23, on the subject of the Enrolment of the members of the Bengal Civil Service, praying for such modification of the privilege leave of one month in each year being accumulated, &c. of the existing Code, as will allow three years, after which leave may be taken, at the pleasure of Government, &c. (the case may be) without deduction from Allowances.

2. Section XI, formerly provided for the grant of privilege leave on the terms now solicited, and the old Regulation was altered in the year 1843, on the last occasion of the general revision of the Absentee Rules by your Government.

3. We have no objection to modify the Rule in accordance with the request of the Service, and with your recommendation, and to authorise you, should you consider that the Fund formed by deductions from the Salaries of absentees will admit of this additional charge upon it, to grant privilege leaves free of all deduction, even in cases in which some expense may be occasioned by the temporary absence.

4. The Government of Bengal having, in their letter to you on the above subject, alluded to the question of Deputation Allowances, we refer you to para. 13 of our Public Despatch, dated 5th April 1854, No. 23, wherein we have authorised you to lay down such Rules as will "ensure that the aggregate amount of official salaries and emoluments shall, on the one hand, be appropriated to the liberal remuneration of the Acting Officers, and, on the other hand cover the expense of the sums paid to the absentees." We can, of course, have no wish that the State should derive financial gain in consequence of the absence of our Servants, although we think it proper to insist that no extra charge shall thereby be incurred. Within that necessary limit, you may deal as liberally as you may be able, with the temporary occupants of the offices of absentees.

5. Our attention has also been given to the question of including the Law Officers of the Company in the new Code of Absentee Regulations. On several occasions we have received memorials upon this subject, which we have treated in the Judicial Department, and so lately as the year 1852, a memorial was addressed to us by the Law Officers at the three Presidencies, praying to be granted the privilege of a furlough to Europe.

6. We cannot extend to the Law Officers any boon which is not conceded to our Civil Servants, and as the retention of office during furlough on private affairs is prohibited, any rule for granting furlough to Law Officers would be inoperative.

7. As respects sick leave, the following is the only Rule which has yet been applied to them. "Whenever* our

• Vide Court's Despatch in the Law Department, dated the 23rd February 1831, No. 1.

* Vide Court's Despatch in the Law Department, dated the 23rd February 1891, No. 1.

8. We have resolved to substitute for the foregoing Rule, the Rules which we have laid down for the grant of sick leave and short leave on private affairs to our Civil Servants, both as respects the periods of absence and the limitation of Allowances during such absence. Leave will of course only be granted at the convenience of the Government, and no additional expense will, on any consideration, be incurred by the Government on account thereof. If any Law Officer shall quit his duty, save on leave under Medical certificate, or on short leave on private affairs, he will be considered to have vacated his appointment.

9. We desire that Rules may at once be framed in accordance with the views expressed in this Despatch, and that the same be embodied in the new Code, and circulated for information and guidance.

We are, &c.

(Signed) J. OLIPHANT,
 „ E. MACNAGHTEN,
 And Nine others.

London, 17th May 1854.

ECCLESIASTICAL DEPARTMENT.

No. 2 OF 1854.

Our Governor General of India in Council.

Para. 1. Having considered the position of Members of our Ecclesiastical Establishments in connexion with the Rules which we have lately laid down for the grant of furlough and leave of absence to our Civil and Military, we have determined that Chaplains and Assistant Chaplains shall be entitled to take furlough on private affairs and on Medical certificate on the same terms and conditions as Military Officers, with the following modifications:—

1st.—Chaplains being allowed to retire after twenty years' service, the period of furlough (private affairs) must in their case be limited to the present term of three years. The furlough may, however, either be taken in one period, or be divided into two periods whether of eighteen months each, or of two years and one year respectively, and, if divided, the first furlough may be taken as at present, after seven years' residence, and the second furlough after a

further residence of ten years in India. As respects Chaplains and Assistant Chaplains appointed before the 11th January 1854, when the period of service was only eighteen years, their second furlough, if they should exercise the option of taking furlough in two periods, will be available after a second residence in India for a term of eight years.

2nd.—No furlough or leave of absence, whether on private affairs or on sick certificate, taken in Europe, or elsewhere out of India, in excess of three years, will be allowed to count as service in India, in the twenty years which qualifies Chaplains for their Retiring Pensions.

2. The Furlough Pay of Chaplains will remain as at present. With regard to their Allowance during sick leave to any place out of India, we have resolved that, in accordance with the principle adopted for Military Officers, they shall receive Salary (but at a rate not exceeding £600 per annum), for the first six months of absence, and for the remaining twelve months an Allowance equal to the Furlough Pay of their standing. If the leave be extended, an Allowance equal to Furlough Pay may be drawn for a further period of eighteen months.

3. You will communicate this Despatch to the Governments of the subordinate Presidencies.

We are, &c.

(Signed) J. OLIPHANT,
" E. MACNAGHTEN,
And Eight others.

London, the 25th June 1854.

FORT WILLIAM, FINANCIAL DEPARTMENT,

The 25th August 1854.

The following Rules for the grant of leave of absence, for regulating deductions from Salaries and Deputation Allowances, and for limiting the period of Service of Civil Servants, will take effect in all the Presidencies and Settlements under the Government of India from the 1st October 1854, in supersession of the Rules of the 17th May 1843:—

CHAPTER I.

RULES FOR APPLICATION FOR LEAVE OF ABSENCE.

Section I.—No leave of absence from any Office or Station can be granted, but by the Government under which the employment is held, and on the application of the party requiring such leave, saving in such cases as may hereafter be specially excepted. The application must be made publicly through the regular channel in the Department to which the applicant may belong.

NOTE.—This Rule must be considered as superseding the Rule under which Commissioners of the Land Revenue and other Officers have heretofore been allowed to grant leave of absence in Bengal.

Section II.—The Official Allowances of the holder of a Civil office quitting his Station without leave, will entirely cease from the date of his quitting until his return, or, in the event of his subsequently obtaining leave, to the date of such leave being granted to him.

Section III.—No leave of absence shall have any retrospective effect, except in cases of severe illness, to be attested by Medical certificate, conforming in every respect to the directions contained in Section V.

CHAPTER II.

RULES FOR SICK LEAVE.

Section IV.—Upon application duly made, the Government may grant leave of absence on Medical certificate to any Civil Servant, to any place in India, in Europe, or elsewhere, as he may consider most conducive to the restoration of his health, without any restrictions whatever as to the places to which he may resort.

Section V.—When an application for leave of absence is made on the ground of ill health, it must be accompanied by a certificate and a statement of the case from the Medical Officer by whom the applicant has been attended, distinctly stating, from personal observation, the nature of the disease, the symptoms by which it is manifested, the period during which it has existed, as far as the knowledge of the Medical Officer extends, and the necessity for temporary removal to some other place in India, or in Europe, or elsewhere, as laid down in Section IV.; and in case of the applicant visiting the Presidency preparatory to obtaining leave, the certificate must be countersigned by the Members of the Medical Board, on their being satisfied, on a perusal of the Medical Attendant's statement of the case, that the leave applied for is absolutely necessary towards his recovery. Should the applicant's Medical Attendant be of opinion that he ought to proceed to a Sanitarium or other place without visiting the Presidency, the certificate must, in the first instance, be countersigned by the Superintending Surgeon of the Division in which the applicant may be located, and afterwards submitted with the statement of the case for the consideration and counter-signature of the Members of the Medical Board.

The certificate shall be given in the following form:—

"I, A. B., Surgeon at or of ——— do hereby certify that E. F., of the Civil Service, is in a bad state of health, and I solemnly and sincerely declare that, according to the best of my judgment, a change of air is essentially necessary to his recovery, and do therefore recommend that he may be permitted to proceed to sea (or to such place as the Surgeon may think proper, expressing it in the certificate)."

The following form shall be observed by the Members of the Medical Board or the Superintending Surgeon, in countersigning the Surgeon's certificate:—

"We (or I) do hereby certify, that, according to the best of our (or my) professional judgment, after careful personal examination of his case, we (or I) consider the state of health of E. F. to be such as to render leave of absence for a period of ——— absolutely necessary (or highly desirable) for his recovery."

An application for extension of leave must, if the applicant be in India, be accompanied by a certificate to a like effect from the Medical Officer by whom the applicant is attended, together with a statement, showing sufficient reason for the extension solicited; and such certificate must be countersigned by the Members of the Medical Board, or by the Superintending Surgeon of the Division in which the applicant may be located, as the case may be, on perusal of the statement. In like manner, if the applicant shall have proceeded beyond the territories under the Government of the East India Company, he must furnish a certificate and statement to the required effect from a Surgeon or Physician at the place of his temporary residence by whom he has been attended, such attendance, and the period of it to be stated, and the certificate to be countersigned by the Examining Physician of the East India Company, if the applicant is in England, or if not in England, by the principal Medical authority of the

Colony or Country to which the absentee may have proceeded, or some sufficient reason stated for the want of such countersignature if the certificate be not so countersigned. The Medical Board or Superintending Surgeon, before countersigning a certificate as above mentioned, must either personally examine the applicant, or state some sufficient reason why they or he have or hath been unable to do so. When any of the required particulars are neglected, leave will be refused.

Section VI.—The following conditions will in future attach to leaves of absence granted to Servants who shall have resided ten years and upwards in India, and who may be declared by a sufficient Medical certificate to require such leave for the recovery of their health :—

1st.—The total period of absence, with the privileges hereinafter provided, shall not (save as specially excepted in Section VII. of these Rules) exceed eighteen months in the whole, nor shall it exceed fifteen months on any one occasion.

2ndly.—The office of the absentee will be considered to be vacated if he shall be absent beyond eighteen months altogether, or beyond fifteen months at any one time, such absence to be computed, if he shall proceed to a Sanitarium within the Presidency, from the date of his arrival thereat ; if to any place beyond the Presidency, but within the Continent of India, from the date of his reaching the limits of his own Presidency ; and if he shall proceed to sea from the date of the sailing of the vessels on which he may have embarked from any port in India which is not more distant from his Station than the ports of his own Presidency, to the date of his arrival at any port within the Presidency to which he belongs, or at any other port which is not more distant from his Station than the ports of his own Presidency.

3rdly.—The absentee will be entitled to draw a moiety of his Salary, and the same will be paid to him during such period of absence, provided that he shall in no case draw a larger sum than Rupees 10,000 (£1,000) per annum, during that period. In cases in which the emolument of the absentee's office does not exceed Rupees 5,000 per annum, no deduction therefrom shall be made for the period of eighteen months, nor shall such a deduction be made in other cases as shall reduce the allowance below Rupees 5,000 (£500) per annum.

4thly.—If the absentee be compelled by the state of his health, under due Medical certificate, to remain absent for a longer period than eighteen months, or fifteen months at any one time, he will, as before stated, vacate his appointment, but he will be permitted to receive an Allowance at the rate of £500 per annum, for such further period of absence as shall not exceed the entire term of three years in the whole. At the expiration of that term, all Allowance must cease until the Servant's return to India.

Section VII.—If a Civil Servant of more than fifteen years' service, after having been absent on sick leave for eighteen months in the whole, or for fifteen months at one time, at whatever period of his service such sick leave shall have been taken, shall be again compelled by the same cause to apply for leave of absence, the Government of India and the subordinate Governments may, on special grounds, grant leave of absence for one further period not exceeding six months, during which the absentee may retain his office, and half his Salary under the limits above enjoined.

Section VIII.—If a Civil Servant, after fifteen years' service, shall be compelled by ill health to apply for further leave of absence, he may be permitted on special grounds to obtain it, but his absence will involve the loss of office and Salary ; the Government of India and the subordinate Governments will, however, respectively, exercise a discretionary power to grant, in such last mentioned cases, a Sick Absentee Allowance, not exceeding Rupees 5,000 or £500 per annum, for a further period not exceeding twelve months.

Section IX.—Junior Civil Servants, who may be compelled by sickness, certified as aforesaid, to quit their Stations before the completion of ten years' residence in India, will be allowed to be absent for eighteen months in the whole, or fifteen months at any one time. They will not retain their appointments, but they will be permitted to draw, during this period, an Allowance at the rate of £250 per annum as at present ; and if any Junior Servant, absent as aforesaid, be prevented by the state of his health, under due Medical certificate, from returning to his duty at the end of the periods above-named, he will be permitted to continue absent for a further term, not exceeding eighteen months, with the same Allowance.

Section X.—A Junior Civil Servant, having enjoyed either of the above-named advantages, will not be entitled to the leave of absence provided for Servants of more than ten years' service, after he shall have attained that standing, but if, after he has attained it, he shall be compelled again by ill health to quit his Station, and provided that his former periods of absence shall have fallen short of three years in the aggregate, he may be permitted, under Medical certificate, to receive a further leave of absence for such a period as shall make up the entire length of absence to three years, and during that additional period, he shall receive an Allowance at the rate of £500 per annum. He will, however, be entitled, after fifteen years' service, to the benefit of the special leave authorised to be granted according to Sections VII. and VIII. of these Rules.

Section XI.—None of the above-mentioned Rules will be applicable to Members of Council. Each Member may, however, with the special sanction of the Government, be permitted to be absent, under Medical certificate, for a period not exceeding six months, retaining his office and receiving half his Salary, which shall be paid to him during such absence, but if his absence shall exceed six months, his office will be vacated.

Section XII.—Civil Servants who may desire to draw their Allowances while absent on account of sickness under the above Rules, will be required to give security in such amount and form as may be fixed by the Government for the refund of any excess that may be drawn either by the Agents at the Presidency or by themselves in case of their coming under retrenchment.

CHAPTER III.

RULES FOR SHORT LEAVE ON PRIVATE AFFAIRS.

Section XIII.—The Government may grant to Civil Servants leave of absence to any place or places in the Continent of India, whether within the territories subject to the Government of India or not, or to proceed to the Island of St. Helena, the Colony of the Cape of Good Hope, or to any place situate between the 36th degree of North latitude and the 50th degree of South latitude, such place being likewise between the 30th and the 180th degrees of longitude East of Greenwich, excepting, however, any islands in the Mediterranean or Levant, and excepting all places within the said geographical limits which may form part of Europe, for one month in each year, without deduction from the Salaries and emoluments drawn by such Servants—such leave, however, will only be granted when the Government is satisfied that no inconvenience will arise from the departure of the Officer seeking it. No second leave can be granted under this Rule until the completion of eleven months from the expiration of the last leave ; but Servants not availing themselves of the indulgence in any one year, may obtain, under the like conditions, leave of absence for two successive months, to commence at or after the expiration of twenty-two months

from the termination of their former leave; and if two years elapse without enjoyment of the privilege, leave for three months may, in like manner, be granted at the expiration of thirty-three months from the termination of the last preceding leave; but no leave shall be granted under this Rule for any period exceeding three months. If an Officer shall not return at the expiration of the period of leave granted him under this Rule, he shall forfeit all Pay and Allowances during the time of his remaining so absent without leave, and if he shall so continue absent for more than one month beyond the term granted, his office shall become vacant.

Civil Servants absent from their Stations under Medical certificate, cannot be admitted to leave under this Rule in continuation of their sick leave; and if, while absent under this Rule, they be granted extended leave under Medical certificate, they shall be considered liable to the Rules applicable to leave of absence on Medical certificate for the whole period of their absence.

Civil Servants who have been absent on Medical certificate during any portion of a calendar year, are not entitled to leave under this Rule during that year; but, in determining the interval necessary to entitle a person to leave under this Rule, no reference will be made to any intermediate leave of absence that may have been granted under Section XV.

Section XV.—As a general rule, when leave is granted under Section XIII., such leave will be in one period only, whether for a whole month or less, and not in detached portions to complete one month within the year, and the term year shall be held to mean the calendar year commencing with the 1st of January and ending with the 31st of December, but as an exception to this Rule, it shall be discretionary with the several Local Governments, where good cause is shown for the indulgence, and it is attended with no public inconvenience, to sanction leave of absence under this Rule to such parties as may not have occasion to apply for the whole at once, in instalments, not to exceed in the aggregate one month within the calendar year, on the understanding that no leave can be granted for any fresh calendar year until the completion of three months from the expiration of the entire leave or of the last instalment of leave taken in the past calendar year.

Section XV.—The Government may, on sufficient cause being shown, grant to a Civil Servant special leave of absence on private affairs for three months, to any place or places within the limits mentioned in Section XIII., provided, however, that if any Officer to whom such leave shall be granted shall be absent from his Station for any period exceeding that to which he may be entitled without deduction, under Section XIII., the absentee shall for the period in excess draw no more than one-half of his Salary and Allowances. After an absence of three months (exclusive of any period which may be granted under Section XIII.) any office held by the absentee shall become vacant.

CHAPTER IV.

FURLOUGHS ON PRIVATE AFFAIRS.

Section XVI.—In the place of the period of three years (in one term) for which furlough has hitherto been granted, Civil Servants will be allowed the option of taking a furlough of three years as at present, or of dividing the furlough into two periods, which may either be of one or two years respectively, or of eighteen months each, provided, that in every such case, the Civil Servant shall declare, on taking his furlough, whether he intends it to be for twelve, eighteen, or twenty-four months, in order that the Government may make its arrangements accordingly. In case of such division, the first furlough to be taken after a residence of not less than ten years, and the second furlough after a further residence in India of ten years from the date of return from the first furlough; but Civil Servants returning on furlough to Europe will continue, as at present, to vacate their offices.

Section XVII.—The Furlough Allowance granted during the periods mentioned in the last Section will be at the rate of £500 per annum, and the receipt of it will not, on any grounds whatever, be permitted for any longer period than three years.

Section XVIII.—Civil Servants who may have been compelled by sickness to quit their duty under Medical certificate, before completing ten years' residence in India, will be entitled to receive during their furlough on private affairs, taken subsequently to their completion of that period of residence, the ordinary Furlough Allowance of £500 per annum for three years.

Section XIX.—In applying the foregoing Rules in substitution of those before existing, periods of absence to the limit of three years, either on Medical certificate or on furlough on private affairs, will count as service in India in the twenty-five years entitling to the Annuity, the present qualification of twenty-two years' residence being retained. Periods of short leave of absence on private affairs taken in India will count as service and residence as at present.

Section XX.—Military Officers employed in the Civil Department will be subject to the Rules laid down in the Court's Military Despatch dated the 30th December 1853, No. 18, for the grant of leave of absence and furlough to Officers holding Military Staff Appointments.

CHAPTER V.

RULES FOR JOINING STATIONS.

Section XXI.—There shall be allowed to Officers appointed to any new office the periods of one month, two months, or three months for joining, accordingly as the distance may not exceed 300 or 600 miles, or be in excess of the last-mentioned distance. Officers not joining their Station within the said periods, respectively, shall forfeit their Salary for the time delayed in excess of the above periods, and if such excess shall exceed one month, the office shall be vacated, unless otherwise specially ordered by Government.

Section XXII.—Upon the first appointment of any Civil Servant, who shall be reported qualified for Public Service by the Examiners appointed by the Government, to any Civil Station, there shall be allowed for travelling expenses to the Station, an Allowance at the rate of 8 annas per mile by the direct post road, according to the Polymetrical Tables of the Post Office, the bill for which allowance will be passed by the Civil Auditor after the Officer shall have joined the Station: if required in advance, an order of the Government shall be necessary.

Section XXIII.—The Salary of office will be payable from the date only of the Officer joining, but in case of Junior Civil Servants, the Salary of Assistants will be payable from the date of their being reported qualified for the Public Service, unless forfeited under the preceding Rule, through delay in joining the Station to which they may be appointed.

Section XXIV.—In case of a change of office, when an Officer is appointed to a higher situation, he shall not

draw the higher Salary until he joins. For the period occupied in travelling, the Rule No. XXI., regulating the time and distance for joining Station, shall be applicable, and the Officer will, for the periods allowed in that Rule, respectively, draw out of the Salary of the Office he is about to join, a sum equal to that of his previous situation.

CHAPTER VI.

RULES FOR DEPUTATION ALLOWANCES.

Section XXV.—The sum of Company's Rupees 52,200 per annum having been fixed, under the orders of the

NOTE.—This Rule will equally apply in case of a Political Resident taking a leave of one, two, or three months, for which in other cases he would suffer no deduction. The excess above the maximum Monthly Salary will in that case be enjoyed by the person in charge.

Court of Directors, as the maximum salary of Civil office for the offices of Government under the situation of Member of Council, Civil Servants who may draw larger Allowances than this annual sum, as a consolidated personal and Sumptuary Allowance, in consideration of the necessary expences of their position, will, in all cases of absence, be treated in respect to deductions as drawing only the Allowance thus limited, and the excess above the Monthly Salary yielded by that annual sum shall remain as a local addition to the usual Deputation Allowance to be drawn by the Officer performing the duties, to meet the necessary expences of his position; provided, however, that in the cases of Civil Servants appointed to offices of the description referred to subsequent to the 2nd June 1854, the sum of Rupees 50,000 shall be held to be the maximum Salary, under the Government Resolution, No. 563, of that date.

Section XXVI.—Deputation Allowances shall be granted to Civil Servants temporarily performing the duties of an office according to the following rates, and subject to the limitations and conditions hereinafter laid down:—

To Civil Servants not holding any substantive appointment, at the rate of 50 per cent. on the Monthly Salary of the appointment officiated in, such Deputation Allowance being in addition to the Subsistence Allowance of their respective ranks.

To Civil Servants holding an office of inferior emolument, when officiating in an office of superior emolument, at the rate of 20 per cent. upon the Monthly Salary of the appointment officiated in, in all cases in which the Salary of such appointment shall not exceed Company's Rupees 2,000 per mensem, and in respect to all appointments of which the Salary shall be more than Company's Rupees 2,000 per mensem, at the rate of 20 per cent. upon Company's Rupees 2,000, and of 10 per cent. on the amount in which the Monthly Salary may exceed Company's Rupees 2,000, provided, however, that no lower rate of Deputation Allowance shall be given than Rupees 200 per mensem.

The Deputation Allowance shall in all cases be in addition to the Salary of the substantive appointment held by the Officer on deputation.

The above rates are granted provisionally, subject to future revision.

In the Punjab, Nagpore, and other places, where appointments are by classes, the amount of Deputation Allowances payable at the above rates will be calculated, not upon the Salary of the individual Officer holding the substantive appointment in which the Officer deputed may be temporarily officiating, but on the average rate of Salary attached to the particular class to which the appointment may belong.

A Civil Servant acting for another shall have no claim to Commission or Fees, where any such sources of emolument exist. These shall be regarded as forming part of the income of the Officer to be relieved, subject to the prescribed deductions.

A Civil Servant acting in an appointment, the Salary of which is to be reduced on the retirement of the present incumbent, will draw Deputation Allowance on the reduced Salary.

An Officer officiating in more than one appointment will be entitled to Deputation Allowance, regulated by the aggregate amount of the Salary of the offices.

An Officer appointed permanently to a higher situation, but prevented from joining his appointment by an order of Government, and detained to officiate in a situation of still higher emolument than the one to which he has been permanently appointed, will be entitled to a Deputation Allowance in addition to the higher Salary to which he has been promoted.

Section XXVII.—No Civil Servant, temporarily officiating for another, shall draw an amount larger than the entire emoluments of the office in which he is officiating, and if the amount of the Deputation Allowance, according to the prescribed scale, added to the permanent emoluments of the officiating Servant, would exceed the emoluments of the office in which he is temporarily acting, the excess shall not be drawn. But this provision shall not apply to the case of any Officer deputed for special reasons to act in an Office of inferior emolument to his own. In cases where an Officer, holding two appointments, on being deputed to officiate for another, shall be relieved only from one, he shall receive no Deputation Allowance, unless the emoluments of the office in which he is deputed to act exceed the united emoluments of his permanent appointments, and in that case the Deputation Allowance shall be limited to the difference.

Section XXVIII.—No subordinate Officer acting for his principal or for any other person holding a superior appointment, in the same office or establishment, at the same Station, shall be entitled to any Deputation Allowance until after the expiration of one month, and then the Allowance is not to be drawn in arrear. But a Servant previously out of employment, or who may be deputed to act from a different Station shall be entitled to Deputation Allowance from the date at which he may enter upon the discharge of the duties to which he has been temporarily appointed.

Section XXIX.—Civil Servants, if deputed to act at a distance from the Stations where they are employed, or ordered by Government on special duty, shall be permitted to draw Travelling Allowances at the rate sanctioned in the case of a first appointment.

CHAPTER VII.

RULES FOR LIMITING THE PERIOD OF SERVICE.

Section XXX.—After thirty-five years' service no Civil Servant shall be appointed to any new office, nor be permitted to retain an office which he has held for a period of five years and upwards, except in special cases, which are to be referred for the decision of the Honorable the Court of Directors. This Rule will be applicable to every Civil Servant appointed to office after its promulgation, and to the case of every other Civil Servant to whom it relates at the close of five years from the date of its promulgation.

CHAPTER VIII.

RULES FOR THE GRANT OF LEAVE OF ABSENCE TO LAW OFFICERS.

Section XXXI.—The East India Company's Law Officers may obtain sick leave and short leave on private affairs, under the conditions prescribed in the case of Civil Servants, both as respects the periods of absence and the limitation of Allowances during such absence. Leave will, however, only be granted at the convenience of the Government, and no additional expense will on any consideration be incurred by the Government on account thereof.

If any Law Officer shall quit his duty, save on leave under Medical certificate or on short leave on private affairs, he will be considered to have vacated his appointment.

CHAPTER IX.

RULES FOR CHAPLAINS AND ASSISTANT CHAPLAINS.

Section XXXII.—Chaplains and Assistant Chaplains may take furlough on private affairs and on Medical certificate, also short leave on private affairs, on the same terms and conditions as Military Officers, with the following modifications :—

1st.—Chaplains being allowed to retire after twenty years' service, the period of furlough on private affairs is in their case limited to the present term of three years. The furlough may, however, either be taken in one period, or be divided into two periods, whether of eighteen months each, or of two years and one year, respectively, and if divided, the first furlough may be taken, as at present, after seven years' residence, and the second furlough after a further residence of ten years in India. As respects Chaplains and Assistant Chaplains appointed before the 11th January 1854, when the period of Service was only eighteen years, their second furlough, if they should exercise the option of taking furlough in two periods, will be available after a second residence in India for a term of eight years.

2ndly.—No furlough or leave of absence, whether on private affairs or on sick certificate, taken in Europe or elsewhere out of India, in excess of three years, will be allowed to count as Service in India in the twenty years which qualifies Chaplains for their Retiring Pensions.

Section XXXIII.—The Furlough Pay of Chaplains will remain as at present. With regard to their Allowance during sick leave to any place out of India, they shall receive Salary (but at a rate not exceeding £600 per annum) for the first six months of absence, and, for the remaining twelve months, an Allowance equal to the Furlough Pay of their standing. If the leave be extended, an Allowance equal to Furlough Pay may be drawn for a further period of eighteen months.

By order of the Most Noble the Governor General in Council.

C. H. LUSHINGTON,

Offg. Secretary to the Government of India.

C. E. FRASER TYTLER,

Officiating Secretary to Government.

JUDICIAL DEPARTMENT.

The Judges of the Sudder Dewanee Adawlut have, under the provisions of Regulation VI. of 1834, sanctioned the closing of the Civil Courts of the Native Judges in the Dharwar Zillah for six weeks from the 19th proximo.

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

H. L. ANDERSON,

Secretary to Government.

Bombay Castle, 20th September 1854.

MEDICAL DEPARTMENT,

CIVIL.

First Grade Apprentice Isaac Shallumjee, 3rd Regt. N. I., is attached to the Civil Hospital, Sholapore.

Second Grade Apprentice Hurrie Mussall, of the Civil Hospital, Sholapore, is transferred to the Civil Hospital, Kolapore.

Bombay, Medical Board Office, 20th September 1854.

By order of the Medical Board,

F. MANISTY, Assistant Surgeon,

Secretary Medical Board.

Notice

Is hereby given, that verbal tenders for the exclusive privilege of SELLING INTOXICATING DRUGS to the Troops and Followers at this Station, for the period of one year from Dewallee, 20th of October

1854, to the next Dewallee, will be received at the Superintendent of Bazars' Office at Dapoollee, at 11 o'clock A. M. on the 6th proximo.

2. Sealed tenders for the said privilege will also be received at the Commissary General's Office at Bombay, on the date and hour above-mentioned, after which no tenders will be received.

3. No person will be allowed to bid or tender for the contract, unless he deposits with his offers the sum of Rs. 25 (twenty-five), which will be forfeited in the event of delay, evasion, or refusal to execute the necessary deed of contract; and an unexceptionable security will also be required to guarantee the fulfilment of the terms of the contract.

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

5. The person whose tender will be accepted will be required, ere entering on the performance of his contract, to deposit the amount of one month's stipulated payment, as his personal security for the due execution of his agreement.

6. Further particulars relative to the contract will be made known on application at the Office of the Superintendent of Bazars at Dapoollee, and that of the Commissary General of the Army at Bombay, from 11 A. M. to 4 P. M. daily (Sundays excepted).

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

S. C. BALDWIN, Captain,

Superintendent of Bazars.

*Supt. of Bazars' Office, Dapoollee,
13th September 1854.*

Notice

Is hereby given, that persons desirous of entering into a contract for SUPPLYING COUNTRY CLOTH, &c. as may be required by the Commissariat Department at the Presidency, for the term of two years from the date of the acceptance of the offer, may, on application at this Office from 11 A. M. till 5 P. M. daily (Sundays excepted), obtain copies of the Schedule or list of prices, and such information relating thereto as they may require.

2. Verbal offers for the contract will be received at this Office on Saturday the 7th proximo, at 2 o'clock precisely, when bidders will be required to bid a per-centage above or below the prices exhibited in the above list at which the supply will be made, on the understanding that the articles supplied are to be of unexceptionable quality, and according to musters which may be seen in this Office, or of the sort usually supplied, and are to be delivered in the first instance at the Commissariat Stores at the Presidency if required, and afterwards to the indenting Departments, in good condition, free of all charges beyond the stipulated price, in such quantities as may from time to time be demanded, and that the same are liable to examination and rejection by the executive Commissariat Officer, or by the indenting or receiving Officer; or by a Committee of Officers appointed on the part of Government, in the event of the contractor being dissatisfied with the decision of the above Officers, or either of them; it being understood that the decision of such Committee is to be final, and binding on all parties.

3. No person will be allowed to bid for the contract unless he previously deposits in this Office, in cash, the sum of Rs. (338) three hundred and thirty-eight, which sum will be forfeited in the event of delay, evasion, or refusal on his part to execute the necessary deed of contract when required to do so, on his offer being accepted; in which latter case he must be prepared to give unexceptionable bonded security to the further amount of Rs. (1,355) one thousand three hundred and fifty-five, which, together with the amount previously deposited, will be held as a guarantee for the due fulfilment of his contract.

4. A contractor must comply immediately with all emergent demands, and meet others of less urgency within the periods stated in the requisitions made upon him; in failure whereof, or if any supply be condemned by a Committee of Officers as aforesaid, the articles, or such others as may be required in lieu thereof, shall be purchased by this Department without delay, at his risk and cost, if it be considered expedient to do so; and in all such cases (30) thirty per cent. upon the amount of expenses incurred, or a fine of from Rs. (25) twenty-five to (150) one hundred and fifty, at the option of the executive Commissariat Officer, will be levied as liquidated damages for each and every such breach of contract, it being understood that the simple condemnation of any article by a Committee constitutes a breach of contract, whether the rejected articles be replaced by the contractor or by this Department; in every such case, also, it is to be understood that the contract may be cancelled, at the discretion of the Commissary General, and that if the contract be so cancelled, the cash deposit mentioned in para. 3 of this Notice will be forfeited to Government.

5. It is also to be understood, that any delay, negligence, evasion, or refusal on the part of a con-

tractor to make supplies or obey orders, or any attempt on his part, or that of his agents, to pass off articles of an inferior quality in lieu of those he is bound to supply, or any neglect to deliver them at the time and place ordered, will subject him, in every instance, to be fined to the extent of Rupees (25) twenty-five, at the option of the executive Commissariat Officer, from whose order an appeal may be made to the Commissary General, whose decision is to be final; but in cases when it may be deemed fit to exact any of the penalties provided for in the preceding clause, no further penalty shall be leviable under this clause.

6. It is further to be understood, that the contractor, or an accredited agent on his part, approved of by the executive Commissariat Officer, is to attend at this Office during the usual hours of business, i. e. from 10 A. M. to 5 P. M. daily (Sundays excepted), also at such other time or place as may be indicated by the executive Commissariat Officer, when he may consider it desirable for the public service to require such attendance.

7. Any party whose offer is accepted will be required to produce his sureties for the approval of the Honorable Company's Solicitor, within fifteen days from the date of the acceptance of his offer, or the contract will be resold. No reason will be stated for rejecting any security offered.

8. Bills for articles supplied under this contract must be preferred within one month from the date of the delivery of the articles, in default of which the contractor will forfeit the full value of the supplies for which bills have not been so preferred, unless it clearly appears, to the satisfaction of the Commissary General, that the delay was unavoidable.

9. The amount of retrenchments made by the Military Board on the contractor's bills will be recovered from the first bills preferred for payment; but in the event of such retrenchments, or any portion thereof, being remitted, the amount remitted will be refunded.

10. Any party who, after offering for a contract, fails to furnish the necessary security, as provided for in clause 7 of this Notice, will be interdicted from bidding on future occasions, unless he produces a document from some person or persons of unexceptionable character and sufficient means, guaranteeing the due execution and performance of the contract, on his offer being accepted.

11. The annual outlay on the above contract is estimated at Rupees (6,775) six thousand seven hundred and seventy-five.

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

J. B. RAMSAY, Major,
Acting Deputy Commissary General.

Bombay, Depy. Commy. Genl.'s Office,
19th September 1854.

જાહેર નોત.

હોંઆથી આપવાનાં આવે છે જે તારીખ
૭ મી આપતા મહીનાની અને યનીવાર
ને દીને પપોરનાં યરોયર કલાક ૨ વાગતે
જુલાઈની કનોયરી હાકીયનાં ગામતી કપરા
જુ કેતરાકટ થે વરચતુ વેચવાનાં આવશે
તે જે તારીખથી કબુલ કરશે તે તારીખથી
આહુ કરોઆનાં આવશે.

જ સમય એ કંતરાકટ લેવા માહાતો હો
એ તેને આએ હાકીશનાં દરરોજ કલાક
૧૧ થી તે ૫ મુઘી અરજ કરેઆથી ભાવનું
લીશરની નકલ તથા તેશીવાએ ને કાંઈ મ
અર નાંઈએ તે આપવાનાં આવશે.

હુંઆઈની દેપુટી કનેશરી નનરાલની
હાકીશ તારીખ ૧૯ ની સપતેનઅર
સને ૧૮૫૪ ઇશવી.

J. B. RAMSAY, Major,
Acting Deputy Commissary General.

Notice

Is hereby given, that verbal offers will be received at this Office on Wednesday next the 27th instant, at 1 o'clock precisely, for a temporary contract for SUPPLYING such ARTICLES embraced in the Schedule No. 1, for BRASS, COPPER, IRON, &c., as may be required by the Commissariat Department at the Presidency, from the date of the acceptance of the offers until a new contract is entered into, or during the pleasure of the Acting Commissary General.

Persons desirous of undertaking the supply of the above, will be required to bid a per-centage above or below the prices exhibited in the Schedule which will be shown at the sale, and all supplies are to be made on the terms and conditions therein specified, subject to all stipulations embraced in clauses 2, 4, 5, 6, 8, and 9 of the Notice dated 22nd ultimo, and published in the Government Gazette of the 24th idem, relative to the contract for Tallow.

The lowest bidders will be required to make a deposit of Rs. (500) five hundred, which sum will be forfeited in the event of refusal or delay in making supplies within the limited time.

All further particulars may be learnt on application at this Office from 10 A. M. till 5 P. M. daily.

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

J. B. RAMSAY, Major,
Acting Deputy Commissary General.

Bombay, Deputy Commy. Genl.'s Office,
20th September 1854.

અહર મઅર.

હુંઆથી આપવાનાં આવે છે ને તારીખ
૨૭ ની માલતા મહીનાની અને મુઘવાર
ને દીને અપેરનાં અરોઅર કલાક ૧ વાગતે હું
આઈની કનેશરી હાકીશનાં તાંબુ પીતલ
લોહાર એ વગરેનું કંતરાકટ ચેરા દારા
મુઘીનું વચવાનાં આવશે ને તારીખથી
કબુલ કરશે તે તારીખથી માહુ કરીઆનાં
આવશે.

જ સમય એ ઊપર લખેલી નનશોનું કંત
રાકટ લેવા માહાતો હોએ તેને આએ હાકીશ
નાં દરરોજ કલાક ૧૧ થી તે ૫ મુઘી અરજ
કરેઆથી ભાવનું લીશરની નકલ તથા ને
13

શીવાએ ને કાંઈ અઅર નાંઈએ તે આપવાનાં
આવશે.

હુંઆઈની દેપુટી કનેશરી નનરાલ શાહે
અની હાકીશ તારીખ ૨૦ ની સપતે
નઅર સને ૧૮૫૪ ઇશવી.

J. B. RAMSAY, Major,
Acting Deputy Commissary General.

Notice.

Verbal offers will be received at this Office, at noon precisely on Monday next the 25th instant, for the SUPPLY of the following ARTICLES, and of such others as this Department may be required to supply during the intermediate period, viz :—

- 67 Yards Cloth, Chintz, (Country,) as per muster.
- 40 Ditto Red, as per muster.
- 100 lbs. Nails, Copper, Brad, 2½-inch.
- 15 lbs. Suja Khar, or Impure Carbonate of Soda.
- 500 Yards Tape, coloured.
- 112 lbs. Driers for Paint, Patent.
- 1 Chubb's Lock for Drawers, 2½ inches by 2.
- 3 Chairs, Office, require new Rattanning and one a new Back.
- 1 Screen, Teakwood, requires new Red Turkey Cloth.
- 6 Tea Poy, require new Ledges.
- 4 Tubs, small, of sizes, require new Painting.
- 2 Stands, Water, require new Painting.
- 5 lbs. Saltpetre.
- 1 Prayer Book, Common, 13 by 9 inches.
- Billet Wood in any quantity, require to be cut in pieces of about 8 or 9 inches in length, and half an inch or so in thickness.
- 1 Maund Hoops, Copper, (Europe).
- 1 lb. Rivets, Copper, (Europe).
- 56 lbs. Hemp, long, cleaned.
- 4 Dozen Shovels, Coal (Europe), as per muster.
- 5 Quires Emery, Cloth, (Europe), as per muster.
- 1 Level, Spirit, with Telescope and Stand.
- 3 Compasses, Surveying, Prismatic.
- 18 Sets Scales, Marquois'.
- 68 Saucers, Glazed, for Colours.
- 16 Locks, Pad, Brass, Magazine, double, small.
- 32 Boxes, Blacking Paste.
- 12 Cakes Colour, Drawing, Sepia.
- 6 Locks, Bookcase, Iron, 3½-inch.
- 10 Cwt. Tar, Coal.
- 2 Carpets (Bengal).
- 1 Ditto (Putta Putta).
- 30 Vices, Smith, Bench, small.
- 30 Do. do. medium.
- 100 Yards Rope, Coir, of 5 inches.
- 2 Catgut Bands for Lathes.
- 50 Carboys of 2 gallons, require to be covered with double Gunny, and netted with Coir.
- 1 Pair Stone, Saunny.

An immediate deposit of ten per cent. on the amount of his offer (and where the amount of the offer falls short of 2½ Rupees, of 4 Annas) must be made by the lowest bidder for the supply of any article.

When an offer is accepted for making supplies within a specified period, and the tenderer fails to fulfil his agreement, the cash deposit made at the time of sale will be forfeited to Government; but when circumstances render it necessary to receive the articles from him after the stipulated period, a deduction of five per cent. will be made from the amount of the bill for the same.

Bills for articles supplied must be preferred

within one month from the date of the delivery of the articles, in default of which dealers will be liable to forfeit the full value of the supplies for which bills have not been so preferred, unless it clearly appear that the delay was unavoidable.

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

Musters may be seen, and all particulars learnt, on application at this Office, from 10 A. M. till 5 P. M. daily, Sunday excepted.

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

J. B. RAMSAY, Major,
Acting Deputy Commissary General.

Bombay, Depy. Comm'y. Genl.'s Office,
20th September 1854.

જાહેર મુખર.

એવું જ દેખીછેડી કમીશરી જનરાલ શાહે
બની આફ્રીકામાં ચાલતા મહીનાની તારીખ
૨૫ ની આવતા શોખવારને દીને બપોરનાં
નીચેલ મેલો તથા એશીયાએ બીજા શાંનાં
આપવાને વાશતે જાહેર લીલાંછી થાશે.

- ૬૭ વાર ગાંધી છીટ નમુનાં મુજબ.
૪૦ વાર લાંલ મારિયુ નમુનાં મુજબ.
૧૦૦ રતલ બીલાં તાંબાનાં ખરાંદ રા
છંચની.
૧૫ રતલ શુભં માર અથવાં કરબોનેત
શોડા.
૫૦૦ વાર પાંની રંગેલી.
૧૧૨ રતલ રંગ દરાંચર પેનત.
૧ મયુલુ લાંક દરાંચુ રા છંચથી તે ર
છંચનું.
૩ બરશ તેને નવી નેતર ભરવાંની છ
તથા રપેર કરવું.
૧ ઇંચકરો લાંકડાંની તેને નવુ લાંલ
વેલાંએતી તરકી કલાંચ જરવું.
૬ રીપાંઇશ તેને નવુ લાંકડુ જરવું.
૪ ટપ નાંલાં તથા મોતાં તેને નવે
રંગ કરવાં.
૨ પાંણીનાં હીચતાં તેને નવે રંગ
મારવાં.
૫ રતલ શાંલપીતર શુરાંમાર.
૧ એક બુક ૫૩વાંની ૧૩ થી તે ૮
છંચની બ્રદાં બાંલવાંનાં લાંકડાં
તેને કાંપી આંપવાં નાંઇએ આશ
રે ૮ થી તે ૮ છંચ લાંચુ ને ના
છંચ તલક બંરી.
૧ મણ વલાં તાંબાના વેલાંઇતી.
૧ રતલ રીવીટ તાંબાની વેલાંઇતી.
૫૬ રતલ હેનપ શન શાક કરેલું.
૪ દન્ન શાવેલકોલશાના નમુનામુજબ.
૫ કવેર ઇંચેરી કલાંચ નમુનામુજબ વે
લાતી.

- ૧ લીવલ ઇંચપરીટનાં ટેલકકોપ તથા
ઇંચરાનડ.
૩ કમપાશ પરીશનારીક શરવેઇંગ.
૧૮ શેટ ઇંચકેલ મારકુઇંચ.
૬૮ રેકાંબી અથવા શાશર કાલેજાની
રંગની.
૧૬ તાલાં પીતલના મેગેલન દબલ
નાલાં.
૩૨ બાકશ બલોકોંગ પેશ.
૧૨ કટકા રંગના દરાંઇંગ શીપરાં.
૬ તાલાં બુકકેશના લોરાના ડા છંચ.
૧૦ હુંનદરવટ (તાર) કોલ.
૨ શતરંજ બંગાલી.
૧ શતરંજ પતાં પતાંનાં.
૩૦ વાઇશ ઇંચનીથ બેનચ નાંલાં.
૩૦ વાઇશ ઇંચનીથ નીદીએન.
૧૦૦ વાર કાથાચુ દોરકુ ઇંચ ૫ ચુ.
૨ તાંત કાટગટ બેઆનડ.
૫૦ કંરબાઇશ ર ગેઆલન તેને બેવડી
ચુનથી લપેટથી તથા કાથાની
બલ ભરેલી.

૧ નાર પથર શાનીનો.

આએ આફ્રીકામાં દરરોજ (આદીતવાર
શીવાએ) કલાક ૧૦ થી તે ૫ શુધી અરજ
કરેઆથી બપર લ મેલો શાંનાંને નમુને
દેખારીઆનાં આવશે તથા એ શીવાએ જ
કંઇ બીજા મુખર નાંઇશે તે પણ આપવાનાં
આવશે.

મુખઇની દેખીછેડી કમીશરી જનરાલ
શાહેબની હાફીશ તારીખ ૨૦ મો
શપટેમબર શતે ૧૮૫૪.

J. B. RAMSAY, Major,
Acting Deputy Commissary General.

Notice

Is hereby given, that verbal tenders for the exclusive privilege of SELLING COUNTRY LIQUOR to the Troops and Followers at this Station, under the usual conditions, will be received at this Office at 12 o'clock A. M. on Wednesday the 15th November 1854, and sealed tenders will be received at the Commissary General's Office, Bombay, on the same date, between the hours of 11 A. M. and 2 P. M. after which no tender will be received.

2. No tenders, sealed or verbal, will be accepted unless accompanied by a deposit of Rupees (25) twenty-five, and one month's amount to be deposited by the persons making the highest tender.

3. Tenders to specify the amount to be given per mensem, for 12 months, to commence on the 1st December 1854 and to expire on the 30th November 1855.

4. The Troops, &c. stationed at Ahmedabad are as follows:—

A Detachment of Golundauze	117
25th Regiment N. I.	919
28th Regiment N. I.	884
Camp Followers.....	275

5. But the contracts will be sold for the actual number of Troops that may be present on the day of sale, which will be duly notified to the bidders at the time, and the amount of monthly payment shall not be increased or decreased on account of Troops arriving at or departing from the Cantonment unless the strength of such details exceeds one-fourth the number of men for whom the contracts have been entered into. It is, however, to be distinctly understood, that any alteration in the number of Camp Followers will not entitle the contractors to claim any remission in the payment of the stipulated monthly amount of their respective engagements: the departure of Troops from the Cantonment, as above specified, will alone give claim for remission.

6. The conditions of the contracts shall not be considered binding or in force in any respect, until the same are confirmed by the superior authority.

7. Further particulars relative to these contracts will be made known on application at the Office of the Superintendent of Bazars at Ahmedabad, and that of the Commissary General of the Army at Bombay, from 10 A. M. till 4 P. M. every day, Sundays excepted.

8. The contractor will have to defray the expenses of maintaining a Preventive Police when and whenever the Brigadier General Commanding may deem necessary, for the suppression of clandestine sale of Spirits to European Troops.

9. Only one Liquor Shop will be permitted, and the liquor to be sold at the rate specified below:—

Arrack..... 8 Annas per Bottle.

Mowrah 8 „ „

10. After a tender has been once made, any attempt at evasion thereof will cause the forfeiture of the deposit money to Government.

11. No Liquor to be sold on credit to the Native Troops.

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

R. S. POPE, Lieutenant,
Superintendent of Bazars and Police.

Supt. of Bazars and Police Office,
Camp, Ahmedabad, 9th September 1854.

નહેર મયર.

આપીએ છીએ ન જ લોકોની મરજી અર ક તથા ગાંમડી દારૂ વેચવાને કાંપ અનદા વાદની છાવણીના લશકરમાં દારૂ વેચવાને કંતરાટ રાખવા હું મેશાંના દશગુરુ પરનાં હોએ તો તે ધણીને તારીખ ૧૫ મી માટે નવેમ્બર શંને ૧૮૫૪ ને બુધવારને રોજ શવારના કલાક ૧૨ બારવાગતે બપોરે બન્ન ૨ માસતર શાહેરની હાકીયનાં આવી રૂપે નાનો આંકડો કેહેવા ન આટલા રૂપેઆ શરૂ કંતરાટ રાખીશુ અથવા એ કંતરાટ લેવા બીડેલા ટેનડર ન કાગલનો લખોટા કરી તેજ તારીખે કાંમીશરી જનરાલની હાકીય ન મુંબાઈમાં છે તાં નેકલવો તે શવારના કલાક ૧૧ વાગતાથી તે શાંજના કલાક ૨ વાગતાં શુધી લીધાનાં આવશે.

૨. નકોઈને બીડેલા ટેનડર તથા મોટા જુબાંનીનો આંકડો કેહેવા હશે તે ધણીએ પાશ્વેથી રૂપેઆ (૨૫) અંકે પચીસ અનાંમત મુકવા નાઈશુ તે લેવાનાં આવશે ને જ શખશનો આંકડો વધારે થોલવાનાં આવશે તે ધણી પાશ્વેથી એક મહીનાનો જીમલો આંકડો ડીપાલ્ટર ન અનાંમત લીધાનાં આવશે.

૩. આ કંતરાટનો કરાર ૧૨ બાર મહીનાનો છે તારીખ ૧ માટે ડીજનમ્બર શંને ૧૮૫૪ થી તે તારીખ ૩૦ માટે નવેમ્બર શંને ૧૮૫૫ શુધીનો માટે રાખનારાઓને કેહેવું નાઈએ ને દર મહીને આટલા રૂપે આ મુજબ આપીશુ.

૪. કાંપ અનદાવાદનાં લશકર નીચે પર નાંચે છે.

ડીરાઅનેટ ગોર્લદાનજી..... ૧૧૭.

નેટીવ રીજમેન્ટ ૨૫ મી... ૮૧૮.

નેટીવ રીજમેન્ટ ૨૮ મી... ૮૮૪.

કાંપના રહેવાશી લોકો..... ૧૨૭૫.

૫. પણ હરાજને દીને નેટલુ લશકર કાંપનાં હાજર હશે તેટલાં નાંચેશો વીશે નો કનતરાજ કરાનાં આવશે ને તે હરાજની વખતે લોકોને બહેર કરાનાં આવશે તેટલા નાંચેશોનાં બાગથી વધારે નાંચેશો કાંપનાંથો જશે અથવા આવશે તો તેવીશ દર મહીનાની થોલીના રૂપેઆનો વધારો અથવા ઘટારો કરાનાં આવશે. બાગથી એછા નાંચેશો જશે આવશે તો તેવીશ ગુતો વાલાને કશી છુટ મેલવાનાં આવશે નહી અથવા તેહની પાશ્વેથી વધારે રૂપેઆ લીધી નાં આવશે નહી પણ લોકોએ શરૂ નાંચેશું કે કાંપનાં રહેવાશી લોકોનાંથો શરૂકાર થશે તો તે વીશે કનતરાજવાલાઓને કશી છુટ આપવાનાં આવશે નહી કક્ત કાંપનાં થી બપર લખેઆ પરનાંચેલશકરો નાંચેશો જશે તોજ કનતરાજવાલાઓને છુટ મેલવા નાં આવશે.

૬. કનતરાજ નાંહાંશુધી શરૂકારનાં ને જીર નહી થશે તાંહાંશુધી કોઈ રીતે અનલ નાં આવો અંતુ શમજવું નહી.

૭. એ કનતરાજવીશે અનદાવાદના બન્નર માસતર શાહેબની હાકીયનાં તથા મુંબાઈની કાંમીશરી જનરાલ શાહેબની હાકીયનાં પુછથી રવીવાર શીવાએ દરરોજ શવારના ૧૦ કલાકથી તે શાંજના ૪ કલાકશુધી બહેર કોધાનાં આવશે ને કાંઈ વધારે પુછ વાગુ હશે તે.

૮. ન વેલાએ તથા (વખતે) ન જંગો એ બરીગેડીઅર જનરાલ શાહેબની ધાંજનાં જરૂર માલમ પડશે તે વેલાએ ચોરી છુપી થી ગોરા શેનારોને દારૂ વેચાતો હશે તેહનો અટકાવ કરવાશરૂ ચોકીદારો રાખવાનો

હુકમ કરનાવશે અને તે ચોકીદારોનો પગા
ર કમલરાજનાલાએ આપવા પડશે.

૯. હુકમ ૧ દારૂ વેચવાની કાંપ નબ
કરના શરૂ થયેલાં રાખવાનાં આવશે ને
નીચે લખા મુજબ દારૂ વેચવા જાહેરું.

અરેક દારૂ પાટલી ૧ ના આંનાં ૮.
મહુડાનો દારૂ પાટલી ૧ ના આના ૮.

૧૦. કંતરાટનો ટેનડર લીધા પછે કાંઈ
તકરાર તથા ઠક્યાણના કચ્છલતની કરશે
તો ને કાંઈ અંનામત રૂપે આ રાખેલા હશે
તે શરકારનાં હંક કરવાનાં આવશે.

૧૧. શીપાઈ લોકોને બિધારે આપવું
નહી રોકડેથી વચ્ચું જાહેરું.

૧૨. જેને અરજ નાં કચ્છલ થાશે તે
હેતુ કારણ કહાનાં આવશે નહીં.

કાંપ અનદાયાદ શુપરનિજેનડેનટ બબ્બ
૨ તથા પોલીસ હાકીશ તારીખ
૯ મી શપટેમ્બર શંને ૧૮૫૪.

R. S. POPE, Lieutenant,
Superintendent of Bazaars and Police.

Issued July 1854.

Second Appendix to "Jameson's Code."

PRICE, RS. 3.

Apply to the Bombay Education Society's Press.

Also,

"JAMESON'S CODE" of 1850, Price Rs. 12; and
FIRST APPENDIX to the Code, issued May 1852,
Price Rs. 3.

Notice.

All persons having claims against or being in-
debted to the ESTATE of the late Assistant Surgeon
R. B. WIGSTROM, of H. M.'s 14th Regiment of
Light Dragoons, are requested to make the same
known to Captain R. B. A. Purvis, Brigade
Major of the Queen's Troops, and President of
the Committee of Adjustment, without delay.

R. B. A. PURVIS, Captain,
President Committee of Adjustment.

Bombay, 14th September 1854.

MILITARY

ARRIVALS AND DEPARTURES.

1854

ARRIVALS.

- 16th Sept.—Lieutenant E. Southley, Engineers, on duty, from
Ahmednugger.
- 17th " Lieutenant Oliphant, 3rd Light Cavalry, on sick
certificate, from Nussorabad.
- " " Captain D'Oyly T. Compton, 20th Regt. N. I., on
duty, from Ahmedabad.
- " " Lieutenant Colonel C. Lucas, Artillery, on leave,
from Surat.
- " " Captain W. G. Arrow, Staff, on duty, from Ahmed-
abad.
- " " Lieutenant P. D. Maret, Artillery, on Medical
certificate, from Baroda.
- " " Captain Bourdillon, 25th Regt. N. I., on Medical
certificate, from Ahmedabad.
- " " Ensign C. Jameson, 25th Regt. N. I., on duty, from
Ahmedabad.

- 19th Sept.—Lieutenant and Adjutant C. P. Barras, Poona
Horse, on Medical certificate, from Seroor.
- 20th " Ensign R. G. Jebb, 23rd Regt. N. I., on Medical
certificate, from Deesa.

DEPARTURES.

- 1854
- 14th Sept.—Captain Goodfellow, 20th Regt. N. I., to join, to
Belgaum.
- 15th " Captain E. Campbell, 3rd European Regiment, to
join, to Poona.
- " " 2nd Lieutenant Brandt, 1st Fusiliers, on leave, to
Bandora.
- 16th " Assistant Surgeon J. Bain, M.D., 6th Regt. N. I.,
to join, to Hyderabad.
- " " Ensign Fulton, 8th Regt. N. I., to join, to Kur-
rachee.
- 18th " Captain D'Oyly T. Compton, 20th Regt. N. I., to
join, to Poona.

Bombay, Town Major's Office,
20th September 1854.

SHIPPING INTELLIGENCE.

1854

ARRIVALS.

- 14th Sept.—Ship Chasleley, J. Sheldford, from Liverpool 25th
May.
- " " Steamer Bombay, G. M. Boyts, from Kurrachee
11th instant.
- " " Passengers—Lieutenant Fitzroy, H. M.'s 83rd
Regt.; Lieutenant Lewis, H. M.'s 80th Regt.;
and 11 Deck.
- 17th " Steamer Mountstuart Elphinstone, C. W.
McDonald, from Surat 16th instant.
- " " Passengers—Lieutenant Oliphant, 3rd Cavalry;
L. Reid, Esq., C. S.; Captain Compton, 29th
N. I.; Lieutenant Colonel Lucas, Artillery;
Lieutenant Maret, Artillery; Captain Bour-
dillon, 25th Regt. N. I.; Ensign Jameson,
25th Regt. N. I.; Mr. R. G. Jebb; Captain
Arrow, 28th Regt. N. I.; and 160 Natives.
- 19th " P. & O. Co.'s Steamer Singapore, R. B. Baker,
from Hong-Kong 22nd August.
- " " Passengers—Mr. Sandeman; Mr. Smith; Mr.
Turner, and Servant; Dr. O'Neill; and 3
Natives.

DEPARTURES.

- 13th Sept.—Ship Ephratos, J. Johnston, to Calcutta.
- " " Ship Lord Elphinstone, G. Massie, to Calcutta.
- " " Passengers—7 Natives.
- " " Steamer Mountstuart Elphinstone, C. W.
McDonald, to Surat.
- " " Passengers—Several Natives.
- 15th " Ship Tartar, J. Guthrie, to Liverpool.
- 16th " P. & O. Co.'s Steamer Erin, J. M. Rogers, to
Galle, Penang, Singapore, and Hong-Kong.
- " " Passengers—For Port Philip: A. H. Anderson,
Esq. For Point de Galle: Sir Charles Jack-
son, and Servant. For Southampton: Mrs.
Wigstrom; and Mrs. Massie.
- " " Steamer Bombay, G. M. Boyts, to Kurrachee.
- " " Passengers—Lieutenant Dunsterville, 28th Regt.
N. I.; Ensign Fulton; Dr. Lofthouse; Dr. J.
Bain; 1 Lady; and 15 Natives.
- " " Barque Ellerslie, F. E. Harvey, to Liverpool.
- " " Passengers—Mrs. Harvey, and Children.
- " " Ship Ocean Queen, P. Rees, to Cochin and Lond on,
- " " Passengers—Mr. Rees; Mr. Vegas and Family.
- 17th " Ship Julia, J. E. Fittock, to Mauritius.
- " " Passengers—7 Natives.
- " " American Ship Orissa, J. Sears, to Calcutta.
- " " Passengers—C. M. Rollins, Esq.; Mr. W. C.
Rossenrode; and 3 Servants.
- " " Barque Flag of Truce, J. Day, to Liverpool.
- 18th " Steamer Phlox, F. M. Ellis, to Surat.
- " " Passengers—Several Natives.

A. K. CORFIELD,
Senior Magistrate of Police.

Bombay, Police Office, 20th September 1854.

INDIA AND LONDON LIFE ASSURANCE COMPANY.

THE Scales of Premiums of this Company are now greatly reduced, and the Lives of healthy persons, Civil or Military, in any part of the world, are assured at as low rates of Premium as can be taken consistently with perfect security.

Extract from the Tables of Annual Premiums required for an Assurance of Rs. 1000, or £100, at the Reduced Rates.

CIVILIANS.				MILITARY AND NAVAL.			
Age.	One year.	Seven years.	Whole life.	One year.	Seven years.	Whole life.	
	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	
18	18	20	27	24	26	32	
25	22	23	31	28	29	36	
30	25	26	34	31	32	39	
35	28	30	38	34	36	43	
40	31	33	43	37	39	47	
45	35	37	48	41	43	52	

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

GREY & Co.

Bombay, 14th September 1854.

NOTICE.—MR. JOHN F. PHILLIPS is authorised to sign for our Firm by procuracy.

VINAY FILS & Co.

Bombay, 20th September 1854.

NOTICE.—MR. WILLIAM DENT, Junior, and MR. THOMAS C. LESLIE, are this day admitted Partners in our Firm.

DENT & Co.

Hong-Kong, 1st July 1854.

NOTICE.—A QUARTERLY GENERAL MEETING of the SUBSCRIBERS of the BOMBAY CIVIL FUND will be held at the Town Hall, on Monday the 25th instant, at half-past 4 o'clock P. M.

By order of the Trustees,

G. J. BLANE,

Secretary Civil Fund.

Bombay, Civil Fund Office,

11th September 1854.

ORIENTAL BANK CORPORATION.

(Incorporated by Royal Charter.)

INTEREST ALLOWED AT THE BOMBAY AGENCY.

On Deposits repayable on demand 2 per cent. per ann.
On do. do. at 3 months' notice 3 " "
On do. do. at 6 do. do. 4 " "
N. B.—No Interest is allowed on Deposits under Rs. 1,000, nor on Deposits over Rs. 50,000, unless by special arrangement.

INTEREST CHARGED.

On Government Bills } 4 per cent. per ann.
On other Bills } 7 " "
On ditto if secured by Govt. } 6 " "
Paper } 6 " "

Rebate on uncovered Bills is allowed at Government Bill rate only.

RATES OF EXCHANGE.

On London at 6 months' sight	1s. 11d. per Rupee.
" " 3 " "	1s. 10½d. "
" " 2 " "	1s. 10½d. "
" " 1 " "	1s. 10½d. "
" " 1 day's "	1s. 10½d. "
On Scotland 1 " "	1s. 10½d. "
On Ireland 1 " "	1s. 10d. "
Circular Notes payable throughout Europe.....	1s. 10d. "

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

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

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

COMMISSION.

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

Bombay, 20th September 1854.

ORIENTAL BANK CORPORATION.

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

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

Rs. 1000.		Rs. 500.	Rs. 50.
2148	4512	347	6815
2363	4563	3623	7154
2425	4587	3767	7910
2492	4635	4016	8065
2657	4686	4035	8115
4032	4720		8472
4188	4786		8710
4209	4834		8751
4215	4854		8828
4331	5108		8840
4346	5139		9224
4350	5170		9231
4354	6001		9256
4398	6114		9268
4461	6318		9273
4464	6441		9618
4466	6715		9693
4499	6927		10083
4508			11022
			11461
			11486
			11631

Bombay, 1st January 1853.