



Bombay Government Gazette.

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THURSDAY, 6TH JULY 1882.

Separate paging is given to this Part, in order that it may be filed as a separate compilation.

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PART I.

Government Notifications, Appointments, &c.

NOTIFICATIONS.

JUDICIAL DEPARTMENT.

Bombay Castle, 30th June 1882.

No. 3978.—The following Notification by the Government of India is republished:—

“HOME DEPARTMENT.

PUBLIC.

Simla, the 23rd June 1882.

No. 957.—In continuation of the Notification of this Department No. 760, dated the 19th ultimo, the Governor General in Council is pleased, under the provisions of Section 27 of the Indian Arms Act, 1878, to exclude swords imported for presentation as army or volunteer prizes from the operation of any prohibition and direction contained in that Act.

(Signed) A. MACKENZIE,
Secretary to the Government of India.”

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Bombay Castle, 1st July 1882.

No. 4003-11P.—Under the provisions of Section 95 of the Presidency Small Cause Courts Act, 1882, the Right Honourable the Governor in Council is pleased to appoint Her Majesty's Common Jail, Civil Side, Bombay, to be the place in which persons ordered by the Small Cause Court, Bombay, to be imprisoned, shall be imprisoned.

Under the provisions of Section 12 of the said Act, the Right Honourable the Governor in Council is pleased to direct that the Seal at present used by the Small Cause Court, Bombay, shall continue to be used by the said Court.

By order of His Excellency the Right Honourable the Governor in Council,

C. GONNE,
Chief Secretary to Government.

POLITICAL DEPARTMENT.

Bombay Castle, 5th July 1882.

No. 3203.—The following Notification by the Government of India in the Foreign Department is republished:—

"POLITICAL.

Simla, the 29th June 1882.

No. 387. I.P.—The Governor General in Council is pleased to direct the publication of the following agreement, by which the villages of Gabat, Waniad, Bayar, and Choila have been ceded to the Maharaja of Edur, with effect from the 2nd of November 1881:—

Agreement between the British Government and His Highness the Maharaja of Edur.

WHEREAS the villages specified in the Schedule hereto annexed and situated in the Ahmedabad Collectorate in the Presidency of Bombay have been since the year 1818 A.D. and now are part of British India, but the Edur State has received a share of the revenue of the said villages; and whereas a certain annual sum of Rs. 1,600 is payable by the British Government to the said State as compensation for the loss of certain salt dues on the Marwar frontier of the said State which were relinquished by the said State at the request of the said Government; and whereas the said Government and the said State, being desirous of separating their interests in the revenues of the said villages and providing for payment of the compensation payable as aforesaid, have agreed that the said State shall grant and transfer to the said Government its share in the revenues of the villages specified in Part A of the said Schedule, and that the said Government shall cede and grant to the said State the villages specified in Part B of the said Schedule; and whereas the Secretary of State for India in Council has, by order of Her Majesty the Queen of Great Britain and Ireland and Empress of India, sanctioned the cession of the villages specified in Part B of the said Schedule. Now it is hereby witnessed that—

(1) His Highness the Maharaja of Edur doth hereby grant and transfer to the Governor General of India in Council, all his rights, interests, and share to and in the revenues of the villages specified in Part A of the Schedule hereto annexed.

(2) The Governor General of India in Council, with the sanction hereinbefore recited, doth hereby cede and grant to His Highness the Maharaja of Edur, his heirs and successors, the villages specified in Part B of the Schedule hereto annexed, to hold the same on the terms and subject to the rules and conditions on which he holds the rest of his territory; and the said villages shall cease to be part of British India and shall become part of the Edur State on and from the second day of November 1881.

(3) His Highness the Maharaja of Edur doth hereby for himself, his heirs and successors, promise and agree that he and they will respect and protect all existing rights in the villages hereby ceded (and in particular the rights of the Thakoor of Jabut in the village of Jabut).

And whereas the Thakoor of Mán is at present in possession of the share in the revenues of the village of Punsri (being one of the villages specified in Part A of the Schedule hereto

annexed), which share has been hereby transferred by the said State to the said Government. And whereas such share is valued at Rs. 742 per annum, and it is desirable that the said State should compensate the said Thakoor for the loss of the said share.

(4) It is hereby agreed that the said State shall grant to the Thakoor of Mán, in lieu of the share in the revenues of the village of Punsri, of which he is at present in possession, land yielding an annual revenue of not less than Rs. 742 in some village in the said State convenient to both parties. And whereas the amount of revenue to be received annually by the said State under the cession of territory hereby made to it will exceed by the sum of Rs. 672 per annum the amount now annually payable to the said State on account of its share in the villages mentioned in the said Schedule and of the compensation hereinbefore referred to, and it is desirable that some arrangement should be made for the annual payment by the said State to the said Government of the said excess sum of Rs. 672.

(5) It is hereby agreed that the said Government shall, without regard to the amounts actually collected from any of the said villages, deduct annually the sum of Rs. 672 from the compensation payable by the said Government to the said State for the suppression of its transit duties, and the sum so deducted shall be taken by the said Government in payment of the said excess sum of Rs. 672.

(Sd.) MAHARANI SHRI JHALJI,
For His Highness the Maharaja of Edur.

(Sd.) CHARLES WODEHOUSE, Major,
Political Agent, Mahikanta.

MAHIKANTA AGENCY;
The 2nd November 1881.
At Camp Edur. }

(Sd.) RIPON,
Viceroy and Governor General of India.

This Agreement was ratified by the Governor General of India in Council at Calcutta on the sixth day of December 1881 A.D.

(Sd.) CHARLES GRANT,
Secretary to the Govt. of India,
Foreign Department.

SCHEDULE,

Being accompaniment to Agreement between the British Government and His Highness the Maharaja of Edur, executed on the 2nd November 1881 between Major Charles Wodehouse, Political Agent, Mahikanta, on behalf of the former, and Maharani Shri Jhalji, mother of the present Maharaja, on behalf of the latter.

Part A.

Names of villages, the rights, interests and share belonging to the Edur State, to and in the revenues of which are granted and transferred to the Governor General of India in Council by His Highness the Maharaja of Edur for himself, his heirs and successors:—

- | | |
|-----------------|----------------------|
| (1) Modása. | (4) Umed-ni-Muwadi. |
| (2) Harsol. | (5) Gulab-ni-Muwadi. |
| (3) Gambhirpur. | (6) Sultánpur. |
| (7) Punsri. | |

Part B.

Names of villages ceded and granted to His Highness the Maharaja of Edur for himself, his heirs, and successors by the Governor General of India in Council with the sanction of the Secretary of State for India in Council by order of Her Majesty the Queen of Great Britain and Ireland and Empress of India :—

- | | | |
|-------------|--|-------------|
| (1) Gabat. | \| | (3) Bayar. |
| (2) Waniad. | \| | (4) Choila. |

(Sd). MAHARANI SHRI JHALJI,
For His Highness the Maharaja of Edur.

(Sd). CHARLES WODEHOUSE, Major,
Political Agent, Mahikanta.

CAMP EDUR;
The 2nd November 1881. }

(Signed) C. GRANT,
Secretary to the Government of India."

By order of His Excellency the Right
Honourable the Governor in Council,

C. GONNE,
Chief Secretary to Government.

REVENUE DEPARTMENT.

Bombay Castle, 4th July 1882.

No. 4280.—Government Notification No. 3084 dated 30th May 1881, declaring that it is proposed to constitute the lands entered in the Schedule thereto annexed to be Reserved Forests in the Khândesh District, is cancelled so far as regards the following survey numbers in the Shâhâda Tâluka :—

Village.	Survey Numbers.
Wadgaon	34, 35, 3, 229, 40.

Bombay Castle, 5th July 1882.

No. 4328.—With reference to Government Notification No. 4161, dated 28th June 1882, the following Notification by the Government of India, No. 2027 of the same date, is republished for general information :—

"DEPARTMENT OF FINANCE AND COMMERCE.
Simla, the 28th June 1882.

No. 2027.—In exercise of the powers conferred by Section 6 of Act I of 1878 (The Opium Act, 1878), the Governor General in Council is pleased to reduce by Rs. 50 per chest the duty on opium imported by land into the Presidency of Bombay for exportation by sea from the Port of Bombay.

Accordingly it is hereby notified that, till further orders, all opium imported by land into the Presidency of Bombay, and covered by a pass for exportation by sea from the Port of Bombay, granted in accordance with Rule 14 of the Rules made under the Opium Act, 1878, dated the 30th March 1878 and published by the Government of Bombay, will be subject to the following duty upon each chest weighing net 140½ lbs. avoirdupois weight, namely :—

	Rs.
When the pass for such opium is granted at Ajmere	675
When the pass for such opium is granted elsewhere	650

(Signed) D. M. BARBOUR,
Offg. Secretary to the Government of India."

No. 4334.—The following Gradation List of Senior and Junior Collectors, and of First and Second Assistant Collectors, as it stood on the 1st June 1882, is published for the information of the Officers concerned :—

Appointment.	No.	Holder of Substantive Appointment.	Cause of Vacancies.	Holder of Acting Appointment in Grade.	Date of Appointment to act in Grade.	Remarks.
1	2	3	4	5	6	7
Collectors— Senior: 12 appointments on Rs. 2,325.	1	Mr. White ... ..	.....	Mr. Mulock	1st Nov. 1879.	On privilege leave for three months from 30th May 1882.
	2	Mr. Sheppard	Pro tem. Second Grade Commissioner, N. D., 27th August 1881.	Mr. East	16th Mar. 1882.	
	3	Mr. Elphinstone ... ..	.....	.....	.....
	4	Mr. Borradaile ... ..	.....	.....	.....
	5	Mr. Macdonald ... ..	.....	On furlough for 2 years from 8th Oct. 1880.	.....
	6	Mr. Propert ... ..	.....	.....	.....
	7	Mr. Moore ... ..	.....	.....	.....
	8	Mr. Ramsay ... ..	.....	.....	.....
	9	Mr. Pratt ... ..	.....	.....	.....
	10	Mr. Jervoise ... ..	.....	.....	.....
	11	Mr. Richey ... ..	.....	.....	.....
	12	Mr. Waddington ... ..	.....	.....	.....

Appointment.	No.	Holder of Substantive Appointment.	Cause of Vacancies.	Holder of Acting Appointment in Grade.	Date of Appointment to act in Grade.	Remarks.
1	2	3	4	5	6	7
Collectors— <i>continued.</i>	1	Mr. Spry	On furlough for 1 year 2 months and 23 days from 2nd August 1881.	Mr. Blathwayt.	23rd Nov. 1881.	Was not Acting Senior but Junior Collector from 15th April 1882.
	2	Mr. King	On furlough for 17 months from 5th Jan. 1882.	Mr. Grant ...	4th Oct. 1881 .	
	3	Mr. Mulock	Acting Senior Collector.	Mr. Middleton.	1st Sept. 1880.	
	4	Mr. Wilson	On special leave for 6 months from 17th Mar. 1882.	Mr. Candy ...	24th July 1880.	
	5	Mr. East... ..	Acting Senior Collector.	Mr. Cumine ...	16th Mar. 1882.	
	6	Mr. Woodward ... ..	.....	.....	.....
Junior: 6 ap- pointments on Rs. 1,800.	1	Mr. Blathwayt	<i>Pro tem.</i> Junior Collector, Kaláddgi.	Mr. Loch ...	6th Nov. 1880 .	
	2	Mr. Nugent	Acting Secretary to Government, Revenue, Financial, and General Departments.	Mr. Winter ...	6th July 1881 .	
	3	Mr. Grant	Acting Collector, Kaira.	Mr. Charles ...	25th May 1881.	
	4	Mr. Middleton	Acting Collector, Dhár-wár.	Mr. Lee-Warner.	13th April 1882	
	5	Mr. Keyser	On medical certificate for 2 years from 4th Sept. 1880.	Mr. Todd ...	15th Oct. 1881.	
	6	Mr. Campbell	Acting Collector of Customs, Bombay.	Mr. Whitworth	11th June 1881.	
	7	Mr. Candy	Acting Collector, Kánara.	Mr. Ommanney.	3rd Feb. 1882.	
	8	Mr. Spence	On furlough for 16 months from 14th April 1881.	Mr. Allen ...	18th June 1881.	
	9	Mr. Reid	On Special Duty, Baroda.	Mr. Hamilton .	1st April 1882.	
	10	Mr. Fleet ... ..	.....	.....	.....
	11	Mr. Vidal	On furlough for 1 year from 31st Oct. 1881.	Mr. Horsley ...	27th April 1882.	
	12	Mr. Porteous	Acting Collector of Salt Revenue.	Mr. McCallum.	25th May 1882.	
	13	Mr. Muir ... ..	.....	.....	.....
	14	Mr. Ebden ... ..	.....	.....	.....
First Assistant Collectors: 14 appointments on Rs. 900.	No. on the General List.					
	1	76 Mr. Loch	<i>Pro tem.</i> First Assistant Collector.	Mr. Frost ...	4th Oct. 1881 .	
		78 Mr. Winter	Acting First Assistant Collector.	Mr. Woodward.	29th Nov. 1881.	
		86 Mr. Charles	Acting First Assistant Collector.	Mr. Jopp ...	1st Oct. 1881 .	
	4	87 Mr. Lely... ..	On furlough, Europe, for 2 years from 7th April 1882.	Mr. Shewan ...	2nd Mar. 1879.	
		88 Mr. Lee-Warner	Acting First Assistant Collector.	Mr. Thakur ...	1st May 1882...	
		91 Mr. Cooks	On furlough for 2 years from 16th Dec. 1880.	Mr. Silcock ...	3rd Jan. 1880 .	
		83 Mr. Sinclair	Acting Collector, Shikárpur.	Mr. Symonds...	6th Jan. 1882.	
		92 Mr. Todd	Acting First Assistant Collector.	Mr. Snow ...	6th Jan. 1882.	
	9	94 Mr. Whitworth... ..	Acting First Assistant Collector.	Mr. Muir-Mac-kenzie.	15th Feb. 1882.	
		100 Mr. Monteath	Acting Under Secretary to Government.	Mr. Alcock ...	1st April 1882.	On privilege leave for 6 weeks from 24th April 1882.
		81 Mr. Allen	Acting First Assistant Collector.	Mr. Kennedy...	16th Mar. 1882.	
Second Assist- ant Collec- tors: 12 ap- pointments on Rs. 700.	12	95 Mr. Wiltshire	On furlough for 1 year from 1st May 1882.	Mr. Young-husband. Mr. Gray ...	24th May 1882. 25th May 1882.	Was not Acting 2nd Assistant Collector from 1st to 23rd May 1882.

No. 4341.—In exercise of the power conferred by Section 19 of the Indian Forest Act, 1878, His Excellency the Governor in Council is pleased to declare the lands described in the Schedule hereto annexed to be Reserved Forests in the Kod Táluka of the Dhárwár Collectorate from the 1st of August 1882 :—

Schedule referred to above.

Number.	Name of Village.	Survey Numbers.	Unoccupied Assessed Waste.		Unassessed Waste.		Total.
			A. g.	Rs. a.	A. g.	A. g.	
1	Basapur ...	31	23 24	17 0	...	23 24	
2	Chenikattl...	58	20 30	16 0	...		
		59	19 13	15 0	...		
		60	23 26	18 0	...		
		61	20 27	18 0	...		
		62	15 1	4 0	...		
	Total ..	5	99 17	71 0	...	99 17	
3	Babapur ...	1	2 33	1 8	...		
		3	8 31	6 0	...		
		29	16 21	10 0	...		
		30	6 29	5 0	..		
	Total ...	4	34 34	22 8	...	34 34	
	Grand Total.	10	157 35	110 8	...	157 35	

No. 4342.—In exercise of the power conferred by Section 29 (b) of the Indian Forest Act, 1878, His Excellency the Governor in Council is pleased to declare that the portion below specified of the Protected Forest of the Chálisgaon Táluka of the Khándesh District comprised within Survey No. 111 of the village of Shivapur shall be closed for a term of ten years from the date of this Notification, and that the rights of private persons (if any) over such portion shall be suspended during the said term :—

No.	Village.	Survey Number.
1	Shivapur ...	Portion of Survey No. 111 south of Survey Nos. 108, 110, 101 and a line drawn from the south-east corner of Survey No. 101 at right angles to the survey boundary of Bodra.

No. 4345.—The following Notification by the Government of India is republished :—

“DEPARTMENT OF FINANCE AND COMMERCE.

Simla, the 30th June 1882.

No. 2036.—Whereas copies or extracts certified to be true copies or extracts of baptismal, marriage, and burial certificates granted by Ministers and Marriage Registrars are generally furnished on printed forms for which impressed sheets of stamped paper cannot be used without inconvenience; therefore, in exercise of the powers conferred by Section 9 of the Indian Stamp Act, 1879, the Governor General in Council is pleased to make the following rule :—

The stamp duty payable under Article 22 of Schedule I to the Indian Stamp Act, 1879, on copies or extracts certified to be true copies or extracts of baptismal, marriage, and burial certificates shall be denoted by means of adhesive court fee labels.

(Signed) D. M. BARBOUR,
Offg. Secretary to the Government of India.”

No. 4348.—*Errata.*—The following errata are published with reference to Notifications Nos. 2063, 2063A, and 2063B, dated 29th March 1882, published at pages 246 and 247 of the *Bombay Government Gazette* dated 30th idem :—

Notification No. 2063.

In line 14 for “Kharif” read “Rabi.”

Notification No. 2063A.

In line 14 for “Kharif” read “Rabi.”

Notification No. 2063B.

In line 13 for “Kharif” read “Rabi.”

No. 4352.—Whereas it appears to the Governor of Bombay in Council that land is required to be taken by Government, at the expense of the Bombay Municipality, for a public purpose, viz., to improve the branch road leading from Khambála Hill Road to Pedder Road, in the City of Bombay; it is hereby declared that for the above purpose a piece of land, measuring more or less 17·20 square yards, and assessed by the New Revenue Survey under No. 7129, bounded on the north and west by the Pedder Road, on the south by the property of Muncherjee Framjee Cama, and on the east and south-east by a passage, is required within the aforesaid City of Bombay.

This declaration is made, under the provisions of Section 6 of Act X. of 1870, to all whom it may concern, who are hereby warned not to obstruct or interfere with persons employed on the land.

A plan of the above-mentioned land can be seen at the office of the Collector of Bombay.

By order of His Excellency the Right Honourable the Governor in Council,

J. NUGENT,
Acting Secretary to Government.

FINANCIAL DEPARTMENT.

Bombay Castle, 5th July 1882.

No. 2443.—The following Resolutions of the Government of India are republished for general information :—

" DEPARTMENT OF FINANCE AND COMMERCE.

Simla, the 10th June 1882.

No. 1622.

RESOLUTION—By the Government of India, Department of Finance and Commerce.

Read—

Despatch from the Secretary of State for India No. 288, dated 15th September 1881, in which, with reference to the case of Mr. C. E. S. Steele, a Revenue Deputy Collector in the Sind Commission, who was for some time employed under the Government of the Transvaal, the Secretary of State has decided that Mr. Steele cannot be relieved from the usual deduction of one-fifth of his salary under the Transvaal State as contribution to the Government of India towards pension. In this Despatch the Secretary of State desires the Government of India to consider whether the rate of contribution required to be made by officers lent for service under Foreign Governments is not unnecessarily high, and whether it might not be diminished.

RESOLUTION.—Under the Rules in Chapter III of the Civil Pension Code, an Officer of the British Government transferred to Foreign Service is required to pay to the Government of India a contribution out of the salary which he receives while in Foreign Service to meet the cost of his pension and leave allowances exclusive of allowances while on privilege leave. 'Foreign Service' includes service under a Native State, Municipality, Port Trust, Court of Wards, or other Body financially independent of the Government of India. It also includes service which is paid for from a Local Fund under such circumstances that it does not qualify for pension and leave under the Rules in the Civil Pension and Leave Codes. The rate of contribution is fixed at 20 per cent. of the gross salary which the Officer receives in Foreign Service, the calculation of his pension and leave allowances being made upon 4-5ths of such salary. The contribution is thus equal to 25 per cent. of the net pay upon which the Officer's pension and leave allowances are calculated. This rate applies to all Officers, whether Military Officers, Covenanted Civil Servants, or Uncovenanted Officers; but it is specially provided in the case of a Native of India, who is not a Covenanted Civil Servant, that, by resigning all claims to leave allowances from the Government of India in respect of his Foreign Service, he may contribute for pension only.

2. The present rules also provide for the payment of contribution by an Officer whose services are lent for other than Imperial purposes, either in England, or in a British Colony, or to a Foreign State; but, except as regards service under the Egyptian Government, the precise amount of contribution in this case is not fixed. The contribution in each case is determined by the Government of India, as occasion arises, the maximum contribution, however, being 20 per cent. of the salary received in such Foreign Service.

3. The contribution of 25 per cent. on net pay referred to above includes about 12½ per cent. on account of pension. The Governor General in Council has no reason to suppose that the rate of contribution for pension has been fixed at an unduly high figure in the case of Covenanted Civil Servants. The contribution on account of allowances while on leave is, however, unduly high, and consequently the general rate of 25 per cent. on net pay is capable of reduction to some extent in the case of all officers. Statistics recently compiled show that the average percentage of Officers of the Covenanted Civil Service on leave other than privilege leave is 14-38. In the case of Uncovenanted Officers, the percentage is still less. On this consideration, and also in view of the present arrangements for the extension of local self-government, in connection with which the Government of India is desirous of facilitating in every reasonable way the lending of officers to Local Bodies without forfeiture of pensionary rights by the Officers, the Governor General in Council is of opinion that the contribution for pension and leave required to be paid to the Government of India by an Officer of the British Government, who is transferred either to 'Foreign Service' as defined in page vii of the 'Definitions' preceding the Codes of the Financial Department, or whose services are lent for other than Imperial purposes, either in England, or in a British colony or to a Foreign State, shall in future be made—

- (a) if the Officer be a Covenanted Civil Servant,—at the rate of 16⅓ per cent. (one-sixth) on the gross salary which he receives from his foreign employers;
- (b) in the case of all other Officers,—at the rate of 14⅔ per cent. (one-seventh) on the gross salary which the officer receives from his foreign employers: provided always that the contribution from an Uncovenanted Officer shall in no case exceed Rs. 166⅔ a month.

Where a higher rate of contribution is now paid, the rate shall, for the future, be reduced as above; but it must be understood that in all such cases the gross salary will now be re-adjusted in such manner as to leave the officer the same net salary which he at present receives.

4. The payment of contributions at the rates now fixed will entitle the Officer to receive from the Government of India, at the proper time, pension and leave allowances (except allowances during privilege leave) in respect of the period of his employment in Foreign Service, &c.; the calculation of pension and leave allowances will be made upon the balance of the salary which remains to the Officer after payment of the prescribed contribution.

5. A Native of India, not being a Covenanted Civil Servant, may, by resigning all claims to allowances from the British Government during leave in respect of the period of his employment in Foreign Service, &c., contribute for pension only. In such case the contribution shall be one-eleventh of the salary which he receives from his foreign employers, and shall not exceed Rs. 100 a month.

6. These Rules are not intended to interfere with the cases of Officers which are specially provided for in Section 10 of the Civil Pension Code (a) to (f). Nor does His Excellency in Council think, by reason of the foregoing change in the rate of contribution in the case of Superior Officers, that any change is necessary in respect of inferior servants, whose case is provided for by Rule 4 under Section 8 of the Civil Pension Code.

ORDERED, that this Resolution be communicated to the several Departments of the Government of India; the several Local Governments; the Comptroller General, and all Accountants General.

No. 2078.

RESOLUTION—By the Government of India, Department of Finance and Commerce.

Read again—

Proceedings in this Department (Accounts and Finance) of July 1881, Nos. 1106 to 1109.

Read also—

Despatch from the Secretary of State No. 48, dated the 9th February 1882, and the following extract from Resolution in the Home Department No. $\frac{17}{717-759}$ (Public), dated the 18th May 1882 :—

Para. 22.—Another point deserving of notice is the control that should be exercised over the execution of local works. It will not always be possible for a Local Board to entertain a competent Engineer of its own; and in any case when Government buildings and important works of other kinds are made over for maintenance, there must be some effective guarantee for thoroughness of execution. It will probably be most convenient that, while all subordinate establishments are entirely under the control of the Boards, Government should supply the District Engineer and furnish professional supervision, the Boards defraying in such manner as may be determined by the Local Governments with reference to the amount of work done for each Board the payments to be made to Government on this account. Care must, however, be taken that the Boards are left unfettered in the initiation and direction of operations, and that the Engineer is placed in the position of their servant and not of their master. The power of check vested in the District Officer will suffice to remedy any carelessness or improper working on the part of the Boards. If this arrangement is carried out, it will probably be found possible to make over to the charge of the Boards most of the public buildings in the districts, and other works of various kinds which would otherwise have to be kept in the hands of the Government Officers. Double establishments will thus be avoided, and public money saved.

RESOLUTION.—On a reference from the Chief Commissioner, British Burma, the Governor General in Council has recently had under consideration the question whether the creation and abolition of appointments under Municipal and Local Fund Boards and similar Local Bodies, or the modification in any way of the pay of such appointments, are, or should be, subject to the same restrictions of various kinds, including reference to Her Majesty's Government when the pay of the appointment exceeds a certain amount, as appointments the cost of which is charged against the General Revenues.

2. The rules which govern the procedure to be observed in reporting, for the sanction of the Home Government, the creation of new offices carrying pay exceeding Rs. 250 a month, and additions to salaries which raise them above Rs. 5,000 a year, are contained in the Despatch of the Secretary of State for India No. 63, dated the 17th March 1864. But these rules, as they are understood, apply only to charges which fall on what are called 'General Revenues' in contradistinction to Local Funds.

3. Provincial Funds form a portion of the General Revenues and are administered by Local Governments just as Imperial Funds are administered by the Government of India; the distinction between them is merely one of account and internal administration; but between Local Funds and General Revenues the distinction is clear, and involves a principle of importance.

4. It is true that the principal Local Funds, both incorporated and excluded (*e.g.*, District Road Cess, Municipal, Port, and Port Trust), are composed in the main of taxes, dues, and fees which do not differ materially in their nature from those taxes, dues, and fees which form a part of the General Revenues; but the essential distinction consists in the special agency and special principles, by, and in accordance with, which Local Funds are administered and in some cases raised.

5. The practice of the Government has been to leave these funds to be administered by Local Bodies, in pursuance of the policy of developing local self-government; only such powers of general control are generally retained as may suffice to authorise interference in cases in which the public interest would otherwise suffer. This policy has been consistently kept in view since Local Bodies were first created. The course of legislation all over the country has accordingly been the direction of enforcing the responsibility and maintaining the authority of such Bodies. For instance, in some of the Acts relating to the constitution and mode of working of Municipalities, and District Committees, no restriction whatever has been placed by the Legislature on the powers of those Bodies for the creation of new appointments; and in others the powers of general control which have been reserved are not such as would allow of the enforcement of those restrictions which apply to such appointments when the cost of these is payable from the General Revenues.

6. The Local Bodies to whom these powers have been entrusted exercise them, as a rule, with discretion; and there is nothing in the method of their administration in the past which would justify the imposition of any special restrictions. Seeing, therefore, that it is desirable to develop local self-government, and that Local Bodies may reasonably be expected to give due weight to the need for economy in the administration of Local Funds, the Governor General in Council is pleased to rule—

(1st) that Local Bodies to whom the administration of Local or Municipal Funds

has been committed shall be competent, subject to the general restrictions imposed by the Legislature or to such special reservations as the Government of India may lay down in any case (*e.g.*, that referred to in paragraph 22 of the Resolution in the Home Department dated the 18th May 1882), or with reference to any particular class of appointments, to create, as well as to abolish, without reference to higher authority all appointments the pay of which is chargeable to such Local or Municipal Funds;

(2nd) that as regards Local Funds administered by Local Governments and not by Local Bodies, the existing restrictions regarding appointments payable from Imperial or Provincial Revenues shall continue in force in respect of appointments payable from such funds.

ORDERED, that the foregoing Resolution be communicated to the several Departments of the Government of India, the several Local Governments and Administrations, and the several Officers of the Account Department.

Ordered also, that it be published in the *Gazette of India*, together with the Resolutions in this Department, Nos. 1622 and 1623, dated the 10th instant.

(Signed) D. M. BARBOUR,
Offg. Secy. to the Govt. of India."

No. 2518.—The following Resolution by the Government of India is republished:—

"DEPARTMENT OF FINANCE AND COMMERCE.

Simla, the 10th June 1882.

No. 1623.

RESOLUTION—By the Government of India, Department of Finance and Commerce.

Read the following papers regarding the question whether Municipalities may not be properly held liable to bear a share of pensions or gratuities granted for service partly paid from Municipal and partly from Government Funds:—

Circulars in the Home Department, Nos. 1—7 and 8 and 1—9 to 15, dated 6th January 1881.

Letter from Chief Commissioner, Assam, No. 165, dated 22nd January 1881.

Letter from Chief Commissioner, Coorg, No. 1418-94, dated 3rd February 1881.

Letter from Government, North-Western Provinces and Oudh, No. 196, dated 8th February 1881.

Letter from Chief Commissioner, Central Provinces, No. 1061-48, dated 31st March 1881.

Letter from Government, Madras, No. 627, dated 13th April 1881.

Letter in the Home Department to Government, Madras, No. 87, dated 21st May 1881.

Letter from Government, Madras, No. 1178, dated 25th June 1881.

Letter from Government, Punjab, No. 1835, dated 4th July 1881.

Letter from Chief Commissioner, British Burma, No. 6171-98, dated 6th September 1881.

Letter from Resident, Hyderabad, No. 409, dated 26th October 1881.

Letter from Government, Bombay, No. 3600, dated 29th October 1881.

RESOLUTION.—The question which requires to be dealt with in connection with the papers read above refers to service rendered by an Officer partly under a Municipality and partly under Government at the same time. The case of a Government Officer lent to a Municipality who desires to retain his lien on Government service and his right to pension, is already provided for in the Rules in Chapter III of the Civil Pension Code.

2. The Governor General in Council observes that there are at present no rules under which the service of an Officer who is paid at the same time partly from Municipal funds and partly from Government funds, qualifies for pension and leave. And there is a difficulty in making such rules without change in the law, so as to empower Municipal Boards to pay pensions and leave allowances out of the funds at their disposal.

3. The measures about to be taken in furtherance of the recent policy of Government regarding local self-government, will lead to the necessity of Municipalities availing themselves of the services of Government Officers to a greater extent than is now the case; but while the existing rules, modified as in Resolution No. 1622 of 10th June 1882, will cover the cases of all Officers whose services are wholly lent to Municipalities, Officers of Government who devote only a part of their time to the performance of municipal duties will be at a disadvantage by reason of their pay in the service of Municipalities not being, under the present rules, taken into account in determining their pension and leave allowances.

4. The Governor General in Council requests accordingly that where the existing law makes no provision for payment by Municipalities of pensions, gratuities and leave allowances of Officers paid partly from Municipal funds and partly from Government funds at the same time, Local Governments will take early measures with a view to legislation being resorted to for removing any difficulties which may be found to exist. If an officer is paid partly from Municipal Funds and partly from the General Revenues, it would seem reasonable that the officer should pay to Government a contribution on the portion of his salary which is drawn from Municipal Funds calculated according to the rules in Chapter III of the Civil Pension Code, and in that case Government would be responsible for the whole of his pension and for his allowances while on leave other than privilege leave.

ORDERED, that this Resolution be communicated to the Home Department for the issue of necessary instructions to all Local Governments.

(Signed) D. M. BARBOUR,

Offg. Secretary to the Government of India."

By order of His Excellency the Right Honourable the Governor in Council,

J. NUGENT,

Acting Secretary to Government.

GENERAL ORDERS

By the Right Honourable the
Governor in Council.

MILITARY DEPARTMENT.

Bombay Castle, 1st July 1882.

No. 366.—The following Native promotion is made, with effect from the 19th May 1882:—

14th Regiment N. I.

Haváldár Sunt Sing to be Jamádár, vice Luximon Goojer, deceased.

No. 367.—The undermentioned officer has been permitted by the Secretary of State for India to return to duty:—

Lieutenant-Colonel G. C. Grant, Staff Corps.

The undermentioned officer has been granted by the Secretary of State for India an extension of leave for the period specified:—

Major G. J. Coulson, Staff Corps, six months, medical certificate.

No. 368.—The following G. O. by the Government of India, No. 355 dated 23rd June 1882, is republished:—

"REWARDS.

No. 355.—ORDER OF BRITISH INDIA—

His Excellency the Governor General in Council is pleased to admit Subhedár-Major Kashi Oobaray, of the Kolhápúr Infantry, an Honorary Member of the 1st Class of the Order of British India, with the title of 'Sardár Bahádúr.'

Bombay Castle, 4th July 1882.

No. 369.—G. G. O. No. 163, dated 15th March last, is cancelled.

Captain J. N. Walker, Adjutant, G. I. P. Railway Volunteer Corps, is allowed furlough on private affairs from the 14th March to 16th September 1882, under Rule XI. of the Furlough Regulations of 1868.

No. 370.—The following Native promotions are made, with effect from the 15th June 1882:—

16th Regiment Native Infantry.

Subhedár Eswuntrao Palanday to be Subhedár-Major and Jamádár Babaji Sawunt to be Subhedár, vice Yacobjee Israel, pensioned.

Bombay Castle, 5th July 1882.

No. 371.—The following extract from the *London Gazette* dated 9th June 1882, page 2688, is republished:—

"*Indian Local Forces.*

Lieutenant-General George Samuel Montgomery, C.S.I., Bombay Infantry, has been transferred to the Unemployed Supernumerary List. Dated 7th May 1882.

The following promotions to take place in succession to Lieutenant-General G. S. Montgomery, C.S.I.:—

Major-General John Crosbie Graves, C.B., Bombay Cavalry, to be Lieutenant-General. Dated 7th May 1882.

* * * * *

No. 372.—The following extract from the *London Gazette* dated 13th June 1882, page 2743, is republished:—

"*Memoranda.*

* * * * *
Deputy Assistant Commissary G. F. Moore, Bombay Establishment, to have the honorary rank of Lieutenant. Dated 2nd March 1882.

The undermentioned Lieutenant-Colonels of the Indian Staff Corps to be Colonels:—

* * * * *
Thomas Kettlewell, Bombay. Dated 20th February 1882.

* * * * *

By order of His Excellency the Right Honourable the Governor in Council,

M. W. WILLOUGHBY, Colonel,
Secretary to Government.

ECCLESIASTICAL DEPARTMENT.

Bombay Castle, 5th July 1882.

No. 27.—License to solemnize Marriages under the provisions of Parts III. and IV. of Act XV. of 1872 is hereby given to the following Missionaries of the Basel German Mission at Dhárwár:—

The Reverend K. Ernst.

„ F. Eislefelder.

By order of His Excellency the Right Honourable the Governor in Council,

M. W. WILLOUGHBY, Colonel,
Secretary to Government.

CIVIL APPOINTMENTS, &c.

POLITICAL DEPARTMENT.

Bombay Castle, 3rd July 1882.

No. 3171.—Mr. Nathubhai Nanabhái, Thánadár of Chotila, is appointed to be substantive *pro tem.* Fourth Deputy Assistant to the Political Agent, Káthiáwár, vice Mr. Chunilal Sarabhái.

Bombay Castle, 5th July 1882.

No. 3205.—*Erratum.*—In Government Notification No. 2166 of the 5th May last, published at page 345 of the *Bombay Government Gazette* of the 11th idem, for "13th instant" read "13th March 1882."

By order of His Excellency the Right Honourable the Governor in Council,

C. GONNE,

Chief Secretary to Government.

JUDICIAL DEPARTMENT.

Bombay Castle, 28th June 1882.

No. 3930.—Mr. Dinsha Pestonji, Pensioned Subordinate Judge of Broach, is appointed to be an Honorary Magistrate, and is invested with the powers of a Magistrate of the Second Class in the Broach District under Section 37 of Act X. of 1872.

Bombay Castle, 29th June 1882.

No. 3954.—Under the provisions of Clause 2 Section 45 of Bombay Act II. of 1874, His Excellency the Governor in Council is pleased to

appoint Messrs. J. J. Heaton and Garshidapa Virbasapa, Magistrates of the Third and First Class respectively in the District of Belgaum, to be Visitors of the District Jail at Belgaum.

Bombay Castle, 30th June 1882.

No. 3964.—Mr. H. J. H. Henderson, District Superintendent of Police, Surat, is allowed privilege leave of absence for three months from the 25th July next.

Mr. H. J. Duggan is appointed to act as District Superintendent of Police in the Surat District during the absence of Mr. Henderson, or until further orders.

No. 3973.—Mr. James Jardine, Barrister-at-Law, acted as Advocate General, Bombay, from the 22nd April to the 5th May 1882.

No. 3974.—Mr. Jivaji Balkrishna has been appointed, under Section 40 of Act XIV. of 1869 (The Bombay Civil Courts Act), to be Clerk of the Second Class Subordinate Judge's Court at Athni in the Belgaum District, vice Mr. Tammaji Timnaji, deceased.

No. 3977.—The Right Honourable the Governor in Council is pleased, under the provisions of Section 21 of Act XV. of 1865, to appoint Mr. Jamssetji Cowasji Entee to be a Delegate to aid in the adjudication of cases in the Pársi District Matrimonial Court at Surat, vice Mr. Manekji Cursetji, resigned.

No. 3979.—Mr. C. B. Izon, Judge and Sessions Judge of Ratnágiri, has been permitted by Her Majesty's Secretary of State for India to return to duty within the period of his leave.

No. 3983.—Khán Sáheb Mirza Kalich Beg Fredan, Mukhtiyárkar of Tigar in the District of Shikárpur, is appointed to be a Magistrate of the Second Class in the District of Shikárpur under Section 37 of Act X. of 1872.

No. 3990.—Ráo Sáheb Sajo Krishna Dhond, substantive *pro tem*. Mámlatdár of Deorukh in the District of Ratnágiri, is appointed to be a Magistrate of the Third Class in the District of Ratnágiri under Section 37 of Act X. of 1872, and is invested with the following additional powers:—

Power to hold inquests (Section 135).

Power to entertain complaints of offences in cases in which he has jurisdiction to try (Section 141).

Power to issue order to prevent obstruction, &c. (Section 518).

Power to issue order prohibiting repetition of nuisance (Section 519).

No. 3992.—The Right Honourable the Governor in Council is pleased to invest Mr. Shridhar Gundo, Magistrate of the First Class in the District of Násik, with the following additional powers under Act X. of 1872:—

Power to entertain cases without complaint (Section 142).

Power to sell suspicious or stolen property (Section 417).

Power to issue order to prevent obstruction, &c. (Section 518).

Power to issue order prohibiting repetition of nuisance (Section 519).

His Excellency in Council is also pleased to invest Mr. Shridhar Gundo with power to try summarily all the offences mentioned or referred to in Section 222 of Act X. of 1872.

Bombay Castle, 3rd July 1882.

No. 4044.—Ráo Sáheb Laxumanrao Mungesh, Mámlatdár of Kumta, and Magistrate of the Second Class in the District of Kánara, is invested with the following additional powers under Act X. of 1872:—

Power to entertain complaints and receive Police reports in cases in which he has jurisdiction to try or to commit for trial (Section 141).

Power to commit for trial (Section 143).

No. 4046.—Mr. Gurshidapa Virbasapa Gilganchi, District Deputy Collector and Magistrate of the First Class in the District of Belgaum, is invested with the following additional powers under Act X. of 1872:—

Power to entertain cases without complaint (Section 142).

Power to sell suspicious or stolen property (Section 417).

The Right Honourable the Governor in Council is also pleased to invest Mr. Gurshidapa Virbasapa Gilganchi with power to try summarily all the offences mentioned or referred to in Section 222 of Act X. of 1872.

No. 4048.—Mr. D. C. Johnston, Assistant Collector in the District of Belgaum, is appointed to be a Magistrate of the First Class in the District of Belgaum under Section 37 of Act X. of 1872.

Bombay Castle, 4th July 1882.

No. 4077.—Mr. Imám Sáheb valad Hutela Sáheb has been appointed, under Section 40 of Act XIV. of 1869 (The Bombay Civil Courts Act), to be Clerk of the Second Class Subordinate Judge's Court at Saundatti in the Belgaum District, vice Mr. Balkrishna Govind, deceased.

By order of His Excellency the Right Honourable the Governor in Council,

C. GONNE,

Chief Secretary to Government.

EDUCATIONAL DEPARTMENT.

Bombay Castle, 4th July 1882.

No. 1102.—Ráo Sáheb Vishnu Balkrishna Sohoni received charge of the office of Principal of the Poona Training College on the 8th ultimo, after office hours.

Mr. Kashinath Narayan Sane received charge of the office of Deputy Educational Inspector, Poona Sub-Division, on the 17th ultimo, before office hours.

By order of His Excellency the Right Honourable the Governor in Council,

C. GONNE,

Chief Secretary to Government.

REVENUE DEPARTMENT.

Bombay Castle, 30th June 1882.

No. 4210.—Mr. J. M. Fernandez acted as Sub-Assistant Conservator of Forests, Third Grade, from the 4th to the 12th April 1882, vice Mr. Menezes on sick leave.

Mr. Shesho Manjir to act as Sub-Assistant Conservator of Forests, Third Grade, with effect from the date of his taking charge, during the absence of Mr. Menezes on sick leave, or until further orders.

No. 4225.—Mr. A. P. Young, Assistant Superintendent, Southern Marátha Country Revenue Survey, is allowed furlough for one year, five months and seven days.

Bombay Castle, 1st July 1882.

No. 4255.—His Excellency the Governor in Council is pleased to appoint Mr. Percy G. Scott

to act as Supernumerary Assistant Collector of Salt Revenue till further orders.

Bombay Castle, 5th July 1882.

No. 4338.—Mr. Phiroze Hoshang Dastur, District Deputy Collector, Kolába, is allowed privilege leave of absence for two months from 5th August next.

No. 4339.—Mr. G. W. Vidal, C.S., having returned to the Presidency on the 25th ultimo, the unexpired portion of his furlough from that date to the 30th October 1882 is cancelled.

By order of His Excellency the Right Honourable the Governor in Council,

J. NUGENT,

Acting Secretary to Government.

Miscellaneous Notifications, Appointments, &c.

BY THE ACCOUNTANT GENERAL.

CIRCULAR No. 32.

BOOK (ACCOUNT CURRENT) DEPARTMENT.

From

The ACCOUNTANT GENERAL, BOMBAY;

To

All COLLECTORS and TREASURY OFFICERS.

Bombay, 3rd July 1882.

Under instructions from the Comptroller General, all Receipts and expenditure on account of the Rájputána-Málva (which embraces the Rájputána, the Holkar, the Sindia-Neemuch, and the Neemuch-Nasirabad State Railways) and the Indus Valley State Railways, from 1st April 1882, will be recorded under the head—

Account between Bombay and Public Works Department (Railway Branches).
Rájputána-Málva State Railway.
Indus Valley State Railway.

2. The necessary re-adjustments from April to June will be made in this office, but from 1st July 1882 the new heads should be opened in manuscript in the Treasury Cash Accounts after "State Railway Stores," and the procedure and classification prescribed in Chapter 21 of the Civil Account Code should be exactly followed in dealing with these Railways.

A. COTTERELL TUPP,
Accountant General.

FINANCIAL DEPARTMENT.

No. 2.—The following promotions of Head Accountants are made:—

1. Keshava Narayan, Acting Head Accountant to the Collector of Ratnágiri, to be substantive *pro tem.* Head Accountant, Fourth Grade,

from 27th September 1881, vice Mr. Lakshaman Narayan, appointed substantive *pro tem.* Sixth Grade Deputy Collector from that date.

2. Ramrao Anappa, Acting Head Accountant to the Collector of Sholápur, to be substantive *pro tem.* Head Accountant, Fourth Grade, from 15th December 1881, vice Venkatrao Shivaram, transferred on promotion to Kaira.

A. COTTERELL TUPP,
Accountant General.

Bombay, 3rd July 1882.

BY HER MAJESTY'S HIGH COURT OF JUDICATURE.

APPELLATE SIDE.

The District Judge of Poona has granted Ráo Sáheb Amrit Shripat Nagpurkar, Subordinate Judge of Bársi, leave on medical certificate for three months from and including the 9th June 1882.

E. MCG. H. FULTON,
Registrar.

Bombay, 3rd July 1882.

The Honourable the Chief Justice and Judges of Her Majesty's High Court of Judicature at Bombay have been pleased to issue to Mr. Gopal Hari Soman a Sanad authorizing him to practise as a Pleader in the Ratnágiri District.

K. C. BEDARKAR,
Deputy Registrar.

Bombay, 2nd July 1882.

BY THE COURT OF SMALL CAUSES,
BOMBAY.

Whereas it is provided by Act No. XV. of 1882, s. 23, that the portions of the Code of Civil Procedure specified in the second schedule thereto annexed shall extend, and shall, so far as the same may, in the judgment of the Court, be applicable, be applied to the Small Cause Court; and the procedure prescribed thereby shall be the procedure followed in the Court in all suits cognizable by it, except where such procedure is inconsistent with the procedure prescribed by any specific provisions of that Act: Provided that the Court may, subject to the control of the Local Government, from time to time, by notification in the official Gazette, declare that any of the said portions of the said Code shall not extend and be applied to the Small Cause Court, or that any of such portions shall so extend and be applied with such modifications as the Court, subject to the control aforesaid, may think fit. And whereas the Government of Bombay did by a Resolution in the Judicial Department, No. 2581 of 1882, dated 24th April 1882, approve the proposal to them theretofore made by the Judges of the Court of Small Causes of Bombay that those portions of the said Code specified in the second schedule to the said Act should be applied to suits for sums not exceeding Rs. 1,000 with the omissions and modifications hereinafter specified; now we, the Judges of the Court of Small Causes of Bombay, under and by virtue of the power by the said 23rd section of the said Act XV. of 1882 so reserved to us under such control as aforesaid, and with such approval of the said Government as aforesaid, do hereby notify that from and after the coming into operation of the said Act XV. of 1882 on the 1st day of July 1882, in all suits in the Court of Small Causes of Bombay for the recovery of any sum not exceeding Rs. 1,000, the portions of the Civil Procedure Code specified in the second schedule to the said Act XV. of 1882 shall be applied with the omissions and modifications following, that is to say:—

- Chapter III., s. 32, *omit* the words "on or before the first hearing."
 ss. 33 and 34, *omit* the whole.
 s. 35, *omit* para. 2.
 s. 37 (a), *omit* the words "from parties not resident within the local limits of the jurisdiction of the Court within which limits the appearance, application, or act, is made or done."
 s. 40, *omit* the whole.
 Chapter IV., s. 45, para. 2, *omit* the words "before the first hearing."
 s. 46, *omit* the words "before the first hearing."
 s. 47, *omit* para. 2.
 Chapter V., *omit* the whole except s. 61 down to and including the words "had produced the instrument in Court."
 Chapter VI., s. 64, *omit* the whole, and *substitute* "on the application of a plaintiff, a summons shall be issued to each defendant to appear and answer the claim on a day to be therein specified, such summons shall be numbered, and shall set forth the names of the plaintiffs and defendants, the cause of action, with such particulars as shall be from

- time to time directed by the Rules of the Court, and the amount sued for."
 ss. 67 and 68, *omit* the whole.
 s. 71, *omit* the whole.
 s. 79, *omit* the whole.
 s. 80, *omit* para. 1 and the word "or" in para. 2.
 s. 81, *omit* the words "under section 79."
 s. 84, *omit* the whole.
 Chapter VII., s. 100 (b), *omit* "shall" and *substitute* "may," and *omit* "second" and *substitute* "renewed."
 s. 107, *omit* the words "plaintiff or," and "Section 66 or."
 s. 115, *omit* the whole.
 s. 116, *omit* paras. 2 and 3.
 Chapter IX., ss. 117 and 118, *omit* the whole.
 Chapter X., s. 140, *omit* the whole.
 s. 141, *omit* the words "and title," and "the name of the person producing it."
 s. 142, *omit* the whole.
 Chapter XIII., s. 156, *omit* the proviso.
 Chapter XIV., s. 159, *omit* the words "whether it be for the settlement of issues only, or for the final disposal of the suit."
 ss. 160, 161 and 162, *omit* the whole.
 s. 174, *omit* the explanation.
 Chapter XV., s. 192, *omit* the last para.
 Chapter XVII., s. 203, *omit* the whole.
 s. 206, *omit* the words "must agree with the judgment: it," "and particulars of the claim as stated in the register," and "If the decree is found to be at variance with the judgment, or."
 s. 209, *omit* the whole.
 s. 210, *omit* the words "with or without interest."
 s. 217, *omit* the words "judgment and."
 Chapter XVIII., s. 220, *omit* the proviso.
 s. 222, *omit* the whole.
 Chapter XIX., s. 231, *omit* para. 2.
 ss. 235 and 236, *omit* the whole.
 s. 245, *omit* the whole.
 s. 255, *omit* the whole.
 s. 258, *omit* the whole.
 s. 269, *omit* the words "keep the property in his own custody or in the custody of one of his subordinates, and shall be responsible for the due custody thereof" and *substitute* "forthwith deposit the property in the custody of the proper officer of the Court."
 ss. 287, 288 and 289, *omit* the whole.
 s. 290, *omit* the words "of at least 30 days in the case of immovable property, and" and for the last 20 words of the section *substitute* "of seizure."
 s. 291, *omit* the whole.
 s. 294, *omit* the whole.
 s. 297, *omit* para. 2.
 Chapter XXIX., s. 435, *omit* the whole.
 Chapter XXXI., s. 442, *omit* the whole.
 Chapter XXXVII., s. 506, *omit* para. 2.
 W. E. HART,
 N. SPENCER,
 GANPATRAO BHASKAR,
 HORMUSJI DADABHOY,
 Judges of the Bombay Court of
 Small Causes.

Rules of Procedure and Practice for the Court of Small Causes of Bombay, framed under the Presidency Small Cause Courts Acts, 1882.

I.—All suits for sums not exceeding Rs. 1,000 shall be instituted by an application, to be made by a plaintiff or his agent duly authorised in that behalf, to the Registrar, for a summons accompanied with or containing such particulars as are specified in the two Rules next hereafter following, which particulars shall be furnished to the Registrar by such plaintiff or agent as aforesaid, and such summons shall be issued on the date of such application.

II.—In all suits for sums exceeding Rs. 500 but not exceeding Rs. 1,000 the plaintiffs shall cause to be served on each defendant, together with the summons, a copy of the particulars of the claim, in writing, specifying the nature and amount of each item of such claim, and the dates whereon the same respectively became claimable, and the particulars of any sums allowed in set-off by the plaintiffs, together with the dates whereon the same respectively became due to the defendant; and if the suit be brought on a document executed, or an entry signed, by the defendant, then a copy of such document or entry.

III.—In all suits for sums not exceeding Rs. 500 the summons to be served on each defendant shall contain a statement of the nature of the cause of action, and the date or dates on or within which the same arose, and the amount, if any, allowed by the plaintiff in set-off, together with the date or dates on or within which the same became due to the defendant.

IV.—At the time of making such an application as is mentioned in Rule I., the plaintiff or his agent shall produce to the Registrar the original of any document, account or entry in his possession on which he sues, to be marked or initialed by the Registrar before issuing a summons in respect thereof.

V.—In the case of defendants resident within the jurisdiction of the Court, the summons, in a suit for a sum not exceeding Rs. 500, shall ordinarily be made returnable on the 14th day after the date of its issue, and served three clear days before such return date unless one of the Judges shall otherwise order.

VI.—In a like case, the summons in a suit for a sum exceeding Rs. 500 shall ordinarily be made returnable on the 21st day after the date of its issue and served seven clear days before such return date unless one of the Judges shall otherwise order.

VII.—If such 14th or 21st day respectively be a close day or holiday, the summons shall ordinarily be made returnable on the first day subsequent thereto that the Judge before whom such summons is returnable shall sit for the hearing and disposal of suits.

VIII.—Any Judge may, on sufficient cause being shown, direct any summons to be made returnable on any such other later or earlier day as he may think fit.

IX.—In the case of defendants not resident within the jurisdiction of the Court, the summons

shall be made returnable on such day as shall in the opinion of the Registrar afford sufficient time for the service of the summons and for the defendants to appear in obedience thereto.

X.—Suits for sums exceeding Rs. 1,000, and claims and objections under Section 278 of the Civil Procedure Code in respect of attachments issued therein shall ordinarily be set down for hearing before the Chief Judge; suits for sums exceeding Rs. 500 but not exceeding Rs. 1,000, and such claims or objections as aforesaid in respect of attachments issued therein, shall ordinarily be set down for hearing before the Second Judge; and suits for sums not exceeding Rs. 500 and such claims or objections as aforesaid in respect of attachments issued thereon shall ordinarily be distributed among the Judges other than the Chief Judge and the Second Judge.

XI.—The procedure in suits for sums exceeding Rs. 1,000 shall be that provided in the sections of the Civil Procedure Code specified in the Second Schedule to the Presidency Small Cause Courts Act, 1882; and the procedure in all other suits shall be that provided in the said sections with the omissions and modifications notified in the *Bombay Government Gazette* on the 15th, 22nd, and 29th days of June and the 6th day of July 1882.

XII.—All applications made under Section 18 of the Presidency Small Cause Courts Act, 1882, for leave to institute a suit shall be in writing, signed and verified on oath or solemn affirmation by the person making the same. Such applications shall set forth exactly the facts of the case, and the grounds on which they are made, and also the names and residences of the witnesses whom the plaintiff intends to examine. Such applications shall ordinarily be presented to and disposed of by the Chief Judge. Applications for arrest before judgment, or attachment before judgment, and for the issue of Distress Warrants shall also be in writing, signed and verified as aforesaid, and shall ordinarily be made during alternate weeks to the Chief Judge and Second Judge in turn. In like manner judgment debtors arrested in execution of decrees shall ordinarily be placed for committal or discharge during alternate weeks before the Chief Judge and Second Judge in turn.

XIII.—The examination of witnesses to be orally examined under commissions issuing from Courts other than the Court of Small Causes of Bombay shall ordinarily be taken by the Chief Judge.

XIV.—All such commissions as aforesaid shall be sent by post by the Court issuing the same, and no such commission will ordinarily be executed except by special order of a Judge, unless received by the Court at least thirty clear days before the day fixed by the said commission for the return thereof to the Court issuing the same.

XV.—At any time before the final disposal of a suit the Court may alter or amend any summons or particulars issued under Rules I., II. or III. in such manner as it thinks fit; upon such terms as to adjournment, the taking of additional evidence, the payment of costs, and otherwise as may to the Court seem fit.

XVI.—In no suit settled by agreement before hearing shall the parties be entitled under Section 73 of the Presidency Small Cause Courts Acts, 1882, to a refund of half the fees paid by them, unless notice of such settlement shall have been given to the Clerk of the Judge before whom such suit is set down for trial before the same shall have been called on for hearing.

XVII.—The Court may direct any party calling a witness to pay such sum as in the opinion of the Court is a reasonable compensation to such witness, having regard to his position and calling, for his loss of time in attending the Court; and may, in the event of such sum not being paid or secured to the satisfaction of the Court, exempt such witness from attending and giving evidence. But such sum shall not be included in the costs of the suit, nor shall execution issue in respect thereof.

XVIII.—No costs shall be allowed in respect of the expense of employing a legal practitioner unless the Judge trying the cause certify that he allows such costs.

XIX.—No such costs as last aforesaid shall be allowed in the case of a legal practitioner required by Section 39 of the Civil Procedure Code to file his appointment unless he shall have so filed the same at least one clear day before the cause is called on for hearing. Provided always that this rule shall have no application in the case of legal practitioners appearing on behalf of a defendant on whom the summons has been served less than three clear days before the day on which the cause is called on for hearing.

XX.—Costs in respect of the expense of employing a legal practitioner, when allowed, shall be on the following scale:—

In suits for sums between Rs. 20 and Rs. 100.	To any legal practitioner entitled to appear.	Not more than Rs. 5 on the conclusion of the suit.
In suits for sums between Rs. 100 and Rs. 500.	To a Barrister or Advocate of the High Court.	Not more than Rs. 45 on the conclusion of the suit.
Do. do. ...	To any other legal practitioner entitled to appear.	Not more than Rs. 30 on the conclusion of the suit.
In suits for sums between Rs. 500 and Rs. 1,000.	To a Barrister or Advocate of the High Court.	Not more than Rs. 85 on the conclusion of the suit.
Do. do. ...	To any other legal practitioner entitled to appear.	Not more than Rs. 51 on the conclusion of the suit.
In suits for sums exceeding Rs. 1,000.	To a Barrister or Advocate of the High Court.	Not more than Rs. 60 <i>per diem</i> or Rs. 85 if the case be disposed of on the first day.
Do. do. ..	To any other legal practitioner entitled to appear.	Not more than Rs. 45 <i>per diem</i> or Rs. 51 if the case be disposed of on the first day.

XXI.—Notwithstanding any such certificate by a Judge as aforesaid, execution in respect of professional costs shall not issue for any sum greater than that actually received by the legal practitioner from his client; and the sum so received shall be evidenced by the production of a note or memorandum in the handwriting of such practitioner, or endorsed above his signature, upon his brief, to the Clerk of the Judge certifying such costs, before the same can be included in the costs of the suit, or execution issue in respect thereof.

XXII.—In suits in which no order has been made by the Judge passing the decree as to the manner or time of payment, execution shall not issue until the expiration of eight days from the date of the decree except by special order of a Judge.

XXIII.—In suits for sums not exceeding Rs. 1,000, warrants for the execution of the decrees shall be made returnable within two months from the date of issue. In suits for sums exceeding Rs. 1,000, such warrants shall be made returnable within four months from the date of issue.

XXIV.—No writ shall issue for the arrest of a judgment-debtor until the decree-holder has paid into Court the amount of his subsistence allowance for one week calculated according to the scales prescribed by the Local Government under Section 338 of the Civil Procedure Code.

XXV.—No sale of any goods which shall be taken in execution under a warrant issued in a suit not exceeding Rs. 1,000 in value, shall be made until the end of at least five days next following the day on which such goods have been so taken, unless such goods be of a perishable nature, or upon the request, in writing, of the party whose goods have been taken.

XXVI.—Until such sale the goods shall be deposited by the Bailiff by whom they were taken in the custody of the Appraiser of the Court, or they may remain on the premises where they were taken, in charge of peons engaged by the Appraiser for that purpose.

XXVII.—The Judges, from time to time as they shall think proper, may appoint such and so many persons for keeping possession, and so many of their Bailiffs or other fit persons to be brokers and appraisers for the purpose of selling or valuing any goods, chattels, or effects taken in execution, as shall appear to them to be necessary.

XXVIII.—No goods taken in execution shall be sold for the purpose of satisfying the warrant of execution except by one of the brokers or appraisers so appointed, and all such sales when held at the Court House shall take place on some fixed day of each week, which the Court shall cause to be made generally known.

XXIX.—The costs to be demanded or taken for the sale and custody of goods shall be as follows:—

(a) *On the sale of goods.*

Nine pies in the rupee on the first Rs. 500 of the proceeds of the goods sold, six pies in the rupee on the second Rs. 500 of such proceeds, and four pies in the rupee on all such proceeds above Rs. 1,000, and if special peons have been kept in charge of the goods a further sum of four annas per day for each man so kept.

(b) *For the custody of goods removed before sale.*

Two pies in the rupee on the appraised value of the goods (other than cattle or live stock) attached, provided they have been in the custody of the Court for more than one clear day, and if special peons have been kept in charge of the goods a further sum of four annas per day for each man so kept. If the goods attached consist of cattle or other live stock, one anna and a half per day for each

head of cattle or other beast for the time they have been in the custody of the Court.

(c) If the goods have been advertised for sale under Section 289 of the Code of Civil Procedure, the cost of such advertisement shall be an additional charge.

XXX.—The Judges may apply the sums raised by the preceding Rule as costs towards payment of the contingent charges and remuneration of the said brokers and appraisers, as appears to the Judges expedient.

XXXI.—Every Bailiff levying or receiving any money by virtue of any process issuing out of the Court shall, not later than the day after the receipt thereof, pay the same to the Registrar.

XXXII.—The office of the Registrar shall be open daily, except on Sunday, Christmas-day, Good Friday, and other authorized holidays, and the office hours shall be from 11 A.M. to 5 P.M. No money shall be paid out of Court before 12 noon nor shall any be received after 4 P.M.

XXXIII.—The Registrar shall grant a receipt for all sums of money paid into Court by suitors, and no money shall be paid out of the Court except on production of such receipt or by special order of a Judge.

XXXIV.—No correspondence relating to any proceedings before the Court shall be entered into, but parties having business with the Registrar or at his office shall transact the same in person or by an accredited agent.

W. E. HART,
Chief Judge,
N. SPENCER,
Second Judge,
GUNPUTRAO BHASKERJI
Acting Third Judge,
HORMUSJI DADABHOY,
Acting Fourth Judge.

BY THE COMMISSIONERS.

NORTHERN DIVISION.

Mr. J. B. Richey delivered over and Mr. A. D. Youghusband received charge of the office of Collector and Magistrate of Ahmedabad in the afternoon of the 26th instant.

Mr. L. H. Spence delivered over and Mr. J. H. C. Schneider received charge of the office of Police Probationer, Panch Maháls, in the afternoon of the 19th instant.

Poona, 29th June 1882.

Mr. G. B. Reid delivered over and Mr. G. W. Vidal received charge of the office of the Collector and Magistrate of Broach in the forenoon of the 1st instant.

Mr. A. D. Youghusband delivered over and Mr. G. B. Reid received charge of the office of the

Collector and Magistrate of Ahmedabad in the forenoon of the 1st instant.

Poona, 3rd July 1882.

G. F. SHEPPARD,
Commissioner, N. D.

CENTRAL DIVISION.

Erratum.—In this Office Notification dated 27th May 1882, published at page 403 of the *Bombay Government Gazette* dated 1st June 1882, Part I., for "No. 3, Ramshankar Barpute," read "Ramchandra Shunkur Barpute."

Poona, 26th June 1882.

The following persons are appointed Non-official Commissioners for the Town Municipality of Junnar in the Poona District:—

1. Mr. Damodar Bullal Kusrkar,
2. " Mahadeo Narayan Raje, Hospital Assistant,
vice
1. Narayan Dhondeo—resigned.
2. Sumsersing, Hospital Assistant, transferred.

Poona, 27th June 1882.

Mr. Ganpatrao Vinayak Sanglikar is appointed a Non-official Commissioner for the City Municipality of Poona, vice Mr. Vinayakrao Ranganath Purandhare, resigned.

Poona, 29th June 1882.

Mr. E. L. Cappel assumed charge of his duties as Assistant to the Collector of Sholápur on the 16th ultimo, in the forenoon.

Mr. W. Lee-Warner, First Assistant Collector, delivered over and Mr. H. W. Cooke, Second Assistant Collector, received charge of the Tálukas of Wái, Sátára and Koregaon in the Sátára District, on the 20th ultimo, in the forenoon.

Poona, 1st July 1882.

E. P. ROBERTSON,
Commissioner, C. D.

SOUTHERN DIVISION.

Under the provisions of Section 9 of Bombay Act VI. of 1873 the following gentlemen are appointed Non-official Municipal Commissioners for the Town Municipality of Gokák in the Belgaum District for the triennial term commencing from 11th April 1882:—

1. Mr. Narayan Atmaram Kamat.
2. " Shidramapa bin Parapa Kalburgi.
3. " Malapa bin Malkapa Kalyanshetti.
4. " Gururao Annaji Naik.
5. " Sakharamshet bin Nagoshet Padvale.

Poona, 27th June 1882.

The Commissioner, S. D., hereby notifies for general information, under No. 66 of the Rules framed by Government under Section 214 of the Land Revenue Code, Bombay Act V. of 1879, that the villages in his Division in which it is deemed proper that a fine shall be invariably levied under Section 65 of the said Act, have been classified by him as follows, viz. :—

District.	Táluka.	Village.	Class.	Amount of Fine leviable.	District.	Táluka.	Village.	Class.	Amount of Fine leviable.
Belgaum.	Belgaum ...	1 Begaum	II.	Rs. 150 per acre.	Belgaum—contd.	Athni ...	1 Ainápur	IV.	Rupees 50 per acre.
	Belgaum	1 Bágévádi	III.	Rupees 100 per acre.			2 Kágvád		
		2 Kanbargi					3 Kokatnur		
		3 Kudchi					4 Kamnadi		
		4 Dhámné					5 Telsang		
		5 Chikbágévádi					6 Shedbal		
	Chikodi...	1 Chikodi	III.	Rupees 100 per acre.			7 Sati		
		2 Nipáni					8 Savadi		
		3 Hukeri				All other villages in the tálukas named above.			
	Sampgaon.	4 Yankanmardi	III.	Rupees 100 per acre.		Indi ...	1 Indi	III.		Rupees 100 per acre.
		5 Dadi			2 Padnur				
		1 Sampgaon			2 Hángal	Bágévádi	1 Almatti		
	2 Hángal	3 Mugatkhán Hubli.	2 Mulwád						
	Khánápur...	3 Deshnur	III.	Rupees 100 per acre.	Bijápur ...	1 Bijápur	III.	Rupees 100 per acre.	
		1 Nandagad				2 Máhál Bágáyát			
	Parasgad.	1 Saundatti	III.	Rupees 100 per acre.	Bágalkot.	1 Bágalkot	III.	Rupees 100 per acre.	
		2 Manoli				1 Bádámi			
	Athni	3 Murgod	III.	Rupees 100 per acre.	Bádámi	1 Tambe	III.	Rupees 100 per acre.	
		1 Athni				1 Nimbal Bujruk			
	Gokák ...	1 Gokák.	III.	Rupees 100 per acre.	Indi ...	2 Nimbal Khurd	III.	Rupees 100 per acre.	
		2 Yádvád				3 Chadehau			
	Belgaum.	Belgaum	1 Hindalgi	III.	Rupees 100 per acre.	Indi ...	5 Tadwalgi	III.	Rupees 100 per acre.
			2 Sindoli				6 Athurga		
			3 Muchandi				7 Horti		
			4 Desur				1 Amel		
			5 Belgundi				2 Moratgi		
			6 Kangráli				3 Yargal Buzruk		
			7 Nilaji				4 Yargal Khurd		
			8 Mutnal				5 Bundeavan Madn.		
			9 Ankalgi				6 Hippargi		
			10 Nandihalli				7 Jakwad		
	Belgaum.	Belgaum	11 Kagni	III.	Rupees 100 per acre.	Sindgi ...	8 Sindgi	III.	Rupees 100 per acre.
			12 Kalkundri				9 Korhalli		
			13 Nitur				10 Gulasavaligi		
			14 Kukadoli				11 Kalkeri		
			15 Bendigeri				1 Muddebihál		
			16 Kowad				2 Tarnal		
			17 Kundur				3 Gudihál		
			18 Chandgad				4 Nalatwád		
			1 Bágévádi				5 Tangadgi		
			2 Yeksambé				1 Ukli		
	3 Sadalgi	2 Mangoli							
	4 Páchiápur (Alur)	3 Bágévádi							
	5 Bargaon	4 Múgi							
	6 Kanagle	5 Kolhar							
	7 Savadalgi	6 Bahuti							
	8 Kongnoli	7 Telgi							
	9 Benadi	1 Jumnal							
	10 Karadgi	2 Torvi							
	Chikodi ..	Chikodi	11 Bedkihal	IV.	Rupees 50 per acre.	Bijápur...	3 Bableshtar	IV.	Rupees 50 per acre.
12 Galatgi			4 Savanhalli						
13 Bhoj			5 Gunaki						
14 Takli			6 Minchnal						
15 Akwád			1 Kaldági						
16 Kharoshi			2 Bilgi						
17 Gotur			3 Shirur						
18 Chikalgud			1 Hebbali						
19 Thana-Hatargi			2 Kerúr						
20 Korur			3 Govankop						
21 Kábur	4 Hardoli								
22 Gudas	5 Katgeri								
Sampgaon.	Sampgaon	1 Kíttur	IV.	Rupees 50 per acre.	Bádámi...	4 Hardoli	IV.	Rupees 50 per acre.	
		2 Wakund				5 Katgeri			
		3 Beláwádi				6 Parvati			
Khánápur	Khánápur	1 Khánápur	IV.	Rupees 50 per acre.	Hundgund	1 Hundgund	IV.	Rupees 50 per acre.	
		2 Itgi				2 Ilkal			
		3 Bidi				All other villages in the tálukas above-named.			
Parasgad.	Parasgad	4 Páraswád	IV.	Rupees 50 per acre.	Dhárwár...	1 Dhárwár	IV.	Rupees 50 per acre.	
		1 Yekundi				2 Hosa Yellápur			
		2 Asundi				3 Saptapur			
Gokák ...	Gokák	3 Ugargol	IV.	Rupees 50 per acre.	Hubli ...	4 Malápur	IV.	Rupees 50 per acre.	
		4 Haaur				5 Gulganjikop			
		5 Satigeri				6 Saidapur			
Gokák ...	Gokák	6 Bhagojikop	IV.	Rupees 50 per acre.	Hubli ...	7 Narayanpur	IV.	Rupees 50 per acre.	
		1 Kaloli				8 Bag-talava			
		2 Kulgoda				1 Yellápur			
		3 Konur				2 Viropur			
		4 Ankalgi				3 Madiná-Kanar I i kati.			
		5 Mudalgi							
6 Mamdapur									

District.	Táluka.	Village.	Class.	Amount of Fine leviable.	District.	Táluka.	Village.	Class.	Amount of Fine leviable.
Dhárwár—continued.	Kod	1 Kod	IV.	Rupees 50 per acre.	Dhárwár—concluded.	Karajgi—continued.	12 Neglur	IV.	Rupees 50 per acre.
		2 Hirekerúr					13 Kabbur		
		3 Chekkerur					14 Mallur		
		4 Rattihalli					15 Devihosur		
		5 Kudapali					16 Nagnur		
		6 Kadur					1 Ron		
		7 Nagvand					2 Maranbasari		
		8 Masur					3 Jigalur		
		9 Medur					4 Abbigeri		
		10 Chinmulgund					5 Kotbal		
		11 Sidenur					6 Arahunshi		
	12 Kaginelli	7 Jekali							
	13 Masanagi	8 Hosahalli							
	14 Havashbavi	9 Halakeri							
	1 Mischrikot	10 Mannur							
	2 Honihalli	11 Hirrehal							
	3 Galgi	12 Ilulur							
	4 Devikop	13 Yavagal							
	5 Kalghatgi	14 Kanjeri							
	6 Bommigatti	15 Hadagali							
	7 Tabakadhonnihalli	16 Mallapur							
	1 Karajgi	17 Malavad							
2 Yelagach	18 Belavanki								
3 Hosritti	19 Naregal								
4 Kadkol	20 Hadgali								
5 Hattinattur	21 Sudi								
6 Devageri	22 Nidagundi								
7 Kanavalli	23 Musigeri								
8 Háveri	24 Savadi								
9 Guttal	25 Karadgi								
10 Belvagi	All other villages in the tálukas above-named.			No fine shall ordinarily be levied.					
11 Havanur									

ARTHUR CRAWFORD,
Commissioner, S. D.

BY COLLECTORS.

Azam Venkatrao Datatraya, Head Kárkún of Táluka Honávar, to be substantive *pro tem.* Mahálkari of Petha Mundgod during the absence of Azam Manjnath Sheshgiri, appointed to act as Mámlatdár of Yellápur.

R. E. CANDY,

Acting Collector of Kánara.

Camp Ankola, 28th June 1882.

BY DISTRICT MAGISTRATES.

Mr. A. C. Logan, Assistant Collector and Magistrate, Third Class, is invested with the following

additional powers under the Criminal Procedure Code:—

1. Power to hold inquests (Section 135).
2. Power to entertain complaints of offences in cases in which he has jurisdiction to try (Section 141).
3. Power to issue order to prevent obstruction, &c. (Section 518).
4. Power to issue order prohibiting repetition of nuisance (Section 519).

W. R. PRATT,
District Magistrate.

Sátára, 1st July 1882.